

By: Madden

H.B. No. 1870

A BILL TO BE ENTITLED

1 AN ACT
2 relating to the manner in which inmates may receive certain cash
3 payments on discharge or release from the Texas Department of
4 Criminal Justice.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

6 SECTION 1. Section 501.015, Government Code, is amended by
7 amending Subsection (a) and adding Subsection (g) to read as
8 follows:

9 (a) When an inmate is discharged or is released on parole,
10 mandatory supervision, or conditional pardon, the department
11 [~~institutional division~~] shall provide the inmate with:

- 12 (1) suitable civilian clothing;
- 13 (2) money held in the inmate's trust account by the
14 director; and
- 15 (3) cash, in an amount and in the manner described by
16 Subsection (b) and, if applicable, Subsection (g).

17 (g) The department may contract with an appropriate
18 financial institution in this state, without cost to the state, to
19 make the payments to inmates required by Subsection (b) in the form
20 of a prepaid debit card that:

- 21 (1) authorizes the inmate in whose name the card is
22 issued to communicate a request to an unmanned teller machine or a
23 customer convenience terminal, without charge for the initial
24 transaction, or to obtain property or services by debit to an

1 account at a financial institution, without charge for any
2 point-of-sale transaction;

3 (2) is offered by a financial institution the deposits
4 of which are insured by the Federal Deposit Insurance Corporation
5 and that complies with any applicable requirements of federal law;
6 and

7 (3) maintains a clear audit trail to simplify the
8 auditing process for purposes of reports to the comptroller.

9 SECTION 2. Section 499.155(c), Government Code, is amended
10 to read as follows:

11 (c) If an inmate is discharged or released on parole or
12 mandatory supervision from a transfer facility, the inmate is
13 entitled to receive release or discharge money from the department
14 ~~[institutional division]~~ in the same amount and manner as an inmate
15 is entitled to receive on release or discharge from any other
16 facility of the department ~~[institutional division]~~ under Section
17 501.015.

18 SECTION 3. This Act takes effect immediately if it receives
19 a vote of two-thirds of all the members elected to each house, as
20 provided by Section 39, Article III, Texas Constitution. If this
21 Act does not receive the vote necessary for immediate effect, this
22 Act takes effect September 1, 2009.