



13 MAY -2 PM 5:44
HOUSE OF REPRESENTATIVES

BY: Alma Allen

FLOOR AMENDMENT NO. _____

1 Amend C.S. S.B. No. 213 (house committee printing) by
2 adding the following appropriately numbered SECTIONS to the bill
3 and renumbering subsequent SECTIONS of the bill accordingly:

4 SECTION _____. Section 328.001, Government Code, is amended
5 to read as follows:

6 Sec. 328.001. DEFINITIONS [~~DEFINITION~~]. In this chapter:

- 7 (1) "Board" means the Legislative Budget Board.
- 8 (2) "Committee" [~~"committee"~~] means the Criminal
9 Justice Legislative Oversight Committee.
- 10 (3) "Correctional facility" means a facility operated
11 by or under contract with the department.
- 12 (4) "Department" means the Texas Department of
13 Criminal Justice.

14 SECTION _____. Section 328.002(b), Government Code, is
15 amended to read as follows:

- 16 (b) The committee is composed of six members as follows:
- 17 (1) the chair of the Senate Committee on Criminal
18 Justice;
- 19 (2) the chair of the House Committee on Corrections;
- 20 (3) two members of the senate appointed by the
21 lieutenant governor, neither of whom may be members of the same
22 political party; and
- 23 (4) two members of the house of representatives
24 appointed by the speaker of the house of representatives, neither
25 of whom may be members of the same political party.

26 SECTION _____. Section 328.004, Government Code, is amended
27 by adding Subsections (c), (d), and (e) to read as follows:

- 28 (c) The committee shall:
- 29 (1) provide for the regular inspection of each

1 correctional facility; and
2 (2) submit reports to the board and the legislature,
3 in accordance with Subsection (e), that include:

4 (A) the results of the committee's inspections
5 since the most recent inspections included in a report to the board
6 or legislature, as applicable, including an evaluation of the
7 inmate grievance procedure at each inspected facility; and

8 (B) any recommendations concerning policy
9 changes or other means by which to improve the conditions or
10 operations of correctional facilities in this state.

11 (d) The committee shall ensure that:

12 (1) not fewer than a total of 25 correctional
13 facilities are inspected each two-year period, including not fewer
14 than 5 correctional facilities that are operated under contract
15 with the department; and

16 (2) each inspection includes one or more visitations
17 during:

18 (A) a general meal period; and

19 (B) a rehabilitative or educational program.

20 (e) The committee shall submit a report to:

21 (1) the board once every six months at a regularly
22 scheduled meeting of the board; and

23 (2) the legislature once every two years not later
24 than the 15th day after the date a regular session of the
25 legislature convenes.

26 SECTION _____. Chapter 328, Government Code, is amended by
27 adding Sections 328.0041 and 328.0051 to read as follows:

28 Sec. 328.0041. COMMUNICATION AND CONFIDENTIALITY. (a) The
29 department shall:

30 (1) allow a member of the committee or its staff to
31 access any part of a correctional facility, without advance notice,

1 for the purpose of conducting an inspection; and

2 (2) allow any person imprisoned or confined in a
3 correctional facility, or any correctional officer or other person
4 employed at a correctional facility, to communicate in person, by
5 mail, or by any other means with a member of the committee or its
6 staff.

7 (b) The department may not open or inspect any letter
8 between a member of the committee or its staff and a person
9 imprisoned or confined in a correctional facility.

10 (c) The department may not take any adverse action against a
11 person imprisoned or confined in a correctional facility or
12 employed by a correctional facility as a result of a communication
13 between the person and a member of the committee or its staff.

14 (d) A communication described by Subsection (a)(2) is
15 confidential and not subject to public disclosure under Chapter 552
16 or other law.

17 Sec. 328.0051. PUBLIC AND INMATE AWARENESS. The committee
18 shall make available to the public and any person imprisoned or
19 confined in a correctional facility information regarding:

20 (1) the manner by which the committee may be
21 contacted; and

22 (2) the purpose, duties, and responsibilities of the
23 committee.

24 SECTION _____. Section 328.007, Government Code, is
25 repealed.

26 SECTION _____. Not later than January 1, 2014, the speaker of
27 the house of representatives and the lieutenant governor shall
28 conform their respective appointments to the Criminal Justice
29 Legislative Oversight Committee as necessary to meet the
30 requirements of Section 328.002(b), Government Code, as amended by
31 this Act.

