

BILL ANALYSIS

H.B. 1140
By: Israel
County Affairs
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Recently enacted legislation by the Texas Legislature required the Commission on Jail Standards to establish health care standards for pregnant inmates. However, interested parties continue to allege mistreatment within county jails and assert that state officials lack adequate information to evaluate such care across Texas. H.B. 1140 seeks to provide the state with reliable information to assess the status of pregnant inmate care and related procedures in Texas.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

H.B. 1140 requires each sheriff to report to the Commission on Jail Standards, not later than September 1, 2016, regarding the implementation in the county jails in the sheriff's county of policies and procedures to provide adequate care to pregnant prisoners confined in the jail. The bill requires the report to include a description of the sheriff's actions to comply with the commission's rules and procedures regarding health care and housing or work assignment needs for pregnant prisoners and any policies adopted by the sheriff regarding the placement of a pregnant prisoner in solitary confinement or administrative segregation. The bill requires the report to include information regarding the health care provided to a pregnant prisoner, including the availability of obstetrical or gynecological care, prenatal health care visits, mental health care, and drug abuse or chemical dependency treatment, and to include a detailed summary of the following as applicable to pregnant prisoners: nutritional standards, work assignments, housing conditions, and situations in which a pregnant prisoner has been restrained. The bill requires the commission, not later than December 1, 2016, to compile, analyze, and summarize the information contained in the reports submitted by sheriffs. The bill requires the commission to provide a copy of the summary to the governor, the lieutenant governor, the speaker of the house of representatives, and each standing committee of the senate and house of representatives having primary jurisdiction over matters relating to corrections. The bill's provisions expire February 1, 2017.

EFFECTIVE DATE

September 1, 2015.