

By: Johnson

H.B. No. 549

A BILL TO BE ENTITLED

AN ACT

relating to certain duties of the Commission on Jail Standards regarding visitation periods for county jail prisoners.

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

SECTION 1. Section 511.009(a), Government Code, is amended to read as follows:

(a) The commission shall:

(1) adopt reasonable rules and procedures establishing minimum standards for the construction, equipment, maintenance, and operation of county jails;

(2) adopt reasonable rules and procedures establishing minimum standards for the custody, care, and treatment of prisoners;

(3) adopt reasonable rules establishing minimum standards for the number of jail supervisory personnel and for programs and services to meet the needs of prisoners;

(4) adopt reasonable rules and procedures establishing minimum requirements for programs of rehabilitation, education, and recreation in county jails;

(5) revise, amend, or change rules and procedures if necessary;

(6) provide to local government officials consultation on and technical assistance for county jails;

(7) review and comment on plans for the construction

1 and major modification or renovation of county jails;

2 (8) require that the sheriff and commissioners of each
3 county submit to the commission, on a form prescribed by the
4 commission, an annual report on the conditions in each county jail
5 within their jurisdiction, including all information necessary to
6 determine compliance with state law, commission orders, and the
7 rules adopted under this chapter;

8 (9) review the reports submitted under Subdivision (8)
9 and require commission employees to inspect county jails regularly
10 to ensure compliance with state law, commission orders, and rules
11 and procedures adopted under this chapter;

12 (10) adopt a classification system to assist sheriffs
13 and judges in determining which defendants are low-risk and
14 consequently suitable participants in a county jail work release
15 program under Article [42.034](#), Code of Criminal Procedure;

16 (11) adopt rules relating to requirements for
17 segregation of classes of inmates and to capacities for county
18 jails;

19 (12) require that the chief jailer of each municipal
20 lockup submit to the commission, on a form prescribed by the
21 commission, an annual report of persons under 17 years of age
22 securely detained in the lockup, including all information
23 necessary to determine compliance with state law concerning secure
24 confinement of children in municipal lockups;

25 (13) at least annually determine whether each county
26 jail is in compliance with the rules and procedures adopted under
27 this chapter;

1 (14) require that the sheriff and commissioners court
2 of each county submit to the commission, on a form prescribed by the
3 commission, an annual report of persons under 17 years of age
4 securely detained in the county jail, including all information
5 necessary to determine compliance with state law concerning secure
6 confinement of children in county jails;

7 (15) schedule announced and unannounced inspections
8 of jails under the commission's jurisdiction using the risk
9 assessment plan established under Section [511.0085](#) to guide the
10 inspections process;

11 (16) adopt a policy for gathering and distributing to
12 jails under the commission's jurisdiction information regarding:

13 (A) common issues concerning jail
14 administration;

15 (B) examples of successful strategies for
16 maintaining compliance with state law and the rules, standards, and
17 procedures of the commission; and

18 (C) solutions to operational challenges for
19 jails;

20 (17) report to the Texas Correctional Office on
21 Offenders with Medical or Mental Impairments on a jail's compliance
22 with Article [16.22](#), Code of Criminal Procedure;

23 (18) adopt reasonable rules and procedures
24 establishing minimum requirements for jails to:

25 (A) determine if a prisoner is pregnant; and

26 (B) ensure that the jail's health services plan
27 addresses medical and mental health care, including nutritional

1 requirements, and any special housing or work assignment needs for
2 persons who are confined in the jail and are known or determined to
3 be pregnant; ~~and~~

4 (19) provide guidelines to sheriffs regarding
5 contracts between a sheriff and another entity for the provision of
6 food services to or the operation of a commissary in a jail under
7 the commission's jurisdiction, including specific provisions
8 regarding conflicts of interest and avoiding the appearance of
9 impropriety; and

10 (20) adopt reasonable rules and procedures
11 establishing minimum standards for prisoner visitation that
12 provide each prisoner at a county jail with a minimum of two
13 in-person, noncontact visitation periods per week of at least 20
14 minutes duration each.

15 SECTION 2. The Commission on Jail Standards shall establish
16 the specific standards as required by Section 511.009(a)(20),
17 Government Code, as added by this Act, not later than January 1,
18 2016.

19 SECTION 3. This Act takes effect September 1, 2015.