

AN ACT

relating to the confinement of pregnant prisoners in county jails.

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

SECTION 1. Chapter 511, Government Code, is amended by adding Section 511.0103 to read as follows:

Sec. 511.0103. NOTIFICATION REGARDING POLICY CHANGE. In the manner prescribed by the commission, a county jail shall notify the commission of any change in the jail's policies and procedures related to:

(1) the provision of health care to pregnant prisoners; and

(2) the placement of a pregnant prisoner in solitary confinement or administrative segregation.

SECTION 2. (a) In this section, "commission" means the Commission on Jail Standards.

(b) Not later than September 1, 2016, each sheriff shall report to the commission 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. A report to the commission must be on a form prescribed by the commission and include the following:

(1) a description of the sheriff's actions to comply with the rules and procedures adopted under Section 511.009(a)(18), Government Code, and any policies adopted by the sheriff regarding

1 the placement of a pregnant prisoner in solitary confinement or
2 administrative segregation;

3 (2) information regarding the health care provided to
4 a pregnant prisoner, including the availability of:

5 (A) obstetrical or gynecological care;

6 (B) prenatal health care visits;

7 (C) mental health care; and

8 (D) drug abuse or chemical dependency treatment;

9 (3) a detailed summary of the following as applicable
10 to pregnant prisoners:

11 (A) nutritional standards, including the average
12 caloric intake of a pregnant prisoner and other dietary
13 information;

14 (B) work assignments;

15 (C) housing conditions; and

16 (D) situations in which a pregnant prisoner has
17 been restrained, including the reason a determination to use
18 restraints was made under Section [361.082](#), Local Government Code;
19 and

20 (4) the number of miscarriages experienced by pregnant
21 prisoners confined in the jail between September 1, 2015, and the
22 date the report is submitted.

23 (c) Not later than December 1, 2016, the commission shall
24 compile, analyze, and summarize the information contained in the
25 reports submitted by sheriffs under Subsection (b) of this section.
26 The commission shall provide a copy of the summary to:

27 (1) the governor;

1 (2) the lieutenant governor;

2 (3) the speaker of the house of representatives; and

3 (4) each standing committee of the senate and house of
4 representatives having primary jurisdiction over matters relating
5 to corrections.

6 (d) As soon as practicable after the effective date of this
7 Act, the commission shall prescribe the form for a report required
8 to be submitted under Subsection (b) of this section.

9 (e) This section expires February 1, 2017.

10 SECTION 3. Not later than December 1, 2015, the Commission
11 on Jail Standards shall adopt rules to implement Section 511.0103,
12 Government Code, as added by this Act.

13 SECTION 4. This Act takes effect September 1, 2015.

H.B. No. 1140

President of the Senate

Speaker of the House

I certify that H.B. No. 1140 was passed by the House on April 30, 2015, by the following vote: Yeas 125, Nays 16, 1 present, not voting; and that the House concurred in Senate amendments to H.B. No. 1140 on May 22, 2015, by the following vote: Yeas 104, Nays 26, 3 present, not voting.

Chief Clerk of the House

I certify that H.B. No. 1140 was passed by the Senate, with amendments, on May 20, 2015, by the following vote: Yeas 27, Nays 3.

Secretary of the Senate

APPROVED: _____

Date

Governor