

# SENATE AMENDMENTS

2<sup>nd</sup> Printing

By: Israel, White of Tyler, King of Taylor,  
Coleman, Stickland, et al.

H.B. No. 1140

A BILL TO BE ENTITLED

AN ACT

relating to reports regarding the confinement of pregnant prisoners  
in county jails.

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

SECTION 1. REPORTS REGARDING PREGNANT PRISONERS. (a) In  
this Act, "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  
the placement of a pregnant prisoner in solitary confinement or  
administrative segregation;

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

(A) obstetrical or gynecological care;

(B) prenatal health care visits;

(C) mental health care; and

(D) drug abuse or chemical dependency treatment;

(3) a detailed summary of the following as applicable

1 to pregnant prisoners:

2 (A) nutritional standards, including the average  
3 caloric intake of a pregnant prisoner and other dietary  
4 information;

5 (B) work assignments;

6 (C) housing conditions; and

7 (D) situations in which a pregnant prisoner has  
8 been restrained, including the reason a determination to use  
9 restraints was made under Section 361.082, Local Government Code;  
10 and

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

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

18 (A) the governor;

19 (B) the lieutenant governor;

20 (C) the speaker of the house of representatives;

21 and

22 (D) each standing committee of the senate and  
23 house of representatives having primary jurisdiction over matters  
24 relating to corrections.

25 SECTION 2. ADOPTION OF FORM. As soon as practicable after  
26 the effective date of this Act, the commission shall prescribe the  
27 form for a report required to be submitted under Section 1 of this

1 Act.

2 SECTION 3. EXPIRATION. This Act expires February 1, 2017.

3 SECTION 4. EFFECTIVE DATE. This Act takes effect September  
4 1, 2015.

ADOPTED

MAY 20 2015

*Lotay Spaw*  
Secretary of the Senate  
H.B. No. 1140

By: *Whitie*

Substitute the following for H.B. No. 1140 :

By: *Whitie*

C.S. H.B. No. 1140

A BILL TO BE ENTITLED

AN ACT

1 relating to the confinement of pregnant prisoners in county jails.

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

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

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

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

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

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

15 (b) Not later than September 1, 2016, each sheriff shall  
16 report to the commission regarding the implementation in the county  
17 jails in the sheriff's county of policies and procedures to provide  
18 adequate care to pregnant prisoners confined in the jail. A report  
19 to the commission must be on a form prescribed by the commission and  
20 include the following:

21 (1) a description of the sheriff's actions to comply  
22 with the rules and procedures adopted under Section 511.009(a)(18),  
23 Government Code, and any policies adopted by the sheriff regarding  
24

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.

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 84TH LEGISLATIVE REGULAR SESSION**

**May 21, 2015**

**TO:** Honorable Joe Straus, Speaker of the House, House of Representatives

**FROM:** Ursula Parks, Director, Legislative Budget Board

**IN RE: HB1140** by Israel (Relating to the confinement of pregnant prisoners in county jails.), **As Passed 2nd House**

**No significant fiscal implication to the State is anticipated.**

The bill would amend the Government Code to require a county jail to notify the Commission on Jail Standards on any change in the policies and procedures in the jail relating to the health care and placement of pregnant prisoners. The bill would require county sheriffs to report certain data relating to the care of pregnant prisoners to the Commission on Jail Standards. Under the provisions of the bill, the Commission on Jail Standards would compile and summarize the data and provide a summary report to certain legislative entities. Under the provisions of the bill, the Commission of Jail Standards would be required to prescribe a form for the report required to be submitted by the sheriffs.

**Local Government Impact**

No significant fiscal implication to units of local government is anticipated.

**Source Agencies:** 409 Commission on Jail Standards

**LBB Staff:** UP, KJo, SD, EK, SJ, KVe, JN

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 84TH LEGISLATIVE REGULAR SESSION**

**May 13, 2015**

**TO:** Honorable John Whitmire, Chair, Senate Committee on Criminal Justice

**FROM:** Ursula Parks, Director, Legislative Budget Board

**IN RE:** **HB1140** by Israel (relating to the confinement of pregnant prisoners in county jails.),  
**Committee Report 2nd House, Substituted**

**No significant fiscal implication to the State is anticipated.**

The bill would amend the Government Code to require a county jail to notify the Commission on Jail Standards on any change in the policies and procedures in the jail relating to the health care and placement of pregnant prisoners. The bill would require county sheriffs to report certain data relating to the care of pregnant prisoners to the Commission on Jail Standards. Under the provisions of the bill, the Commission on Jail Standards would compile and summarize the data and provide a summary report to certain legislative entities. Under the provisions of the bill, the Commission of Jail Standards would be required to prescribe a form for the report required to be submitted by the sheriffs.

**Local Government Impact**

No significant fiscal implication to units of local government is anticipated.

**Source Agencies:** 409 Commission on Jail Standards

**LBB Staff:** UP, KJo, SD, EK, SJ, KVe, JN

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 84TH LEGISLATIVE REGULAR SESSION**

**May 11, 2015**

**TO:** Honorable John Whitmire, Chair, Senate Committee on Criminal Justice

**FROM:** Ursula Parks, Director, Legislative Budget Board

**IN RE:** **HB1140** by Israel (Relating to reports regarding the confinement of pregnant prisoners in county jails.), **As Engrossed**

<p><b>No significant fiscal implication to the State is anticipated.</b></p>
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The bill would require county sheriffs to report certain data relating to the care of pregnant prisoners to the Commission on Jail Standards. Under the provisions of the bill, the Commission on Jail Standards would compile and summarize the data and provide a summary report to certain legislative entities. Under the provisions of the bill, the commission would be required to prescribe a form for the report required to be submitted by the sheriffs.

**Local Government Impact**

No significant fiscal implication to units of local government is anticipated.

**Source Agencies:** 409 Commission on Jail Standards

**LBB Staff:** UP, KJo, SD, EK, SJ, KVe, JN

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 84TH LEGISLATIVE REGULAR SESSION**

**April 8, 2015**

**TO:** Honorable Garnet Coleman, Chair, House Committee on County Affairs

**FROM:** Ursula Parks, Director, Legislative Budget Board

**IN RE: HB1140** by Israel (Relating to reports regarding the confinement of pregnant prisoners in county jails.), **As Introduced**

**No significant fiscal implication to the State is anticipated.**

The bill would require county sheriffs to report certain data relating to the care of pregnant prisoners to the Commission on Jail Standards. Under the provisions of the bill, the Commission on Jail Standards would compile and summarize the data and provide a summary report to certain legislative entities.

**Local Government Impact**

No significant fiscal implication to units of local government is anticipated.

**Source Agencies:** 409 Commission on Jail Standards

**LBB Staff:** UP, KVe, SD, EK, JN