

By: Coleman

H.B. No. 3269

Substitute the following for H.B. No. 3269:

By: White

C.S.H.B. No. 3269

A BILL TO BE ENTITLED

AN ACT

relating to a protocol for contraband searches conducted by the Texas Department of Criminal Justice during extreme weather conditions.

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

SECTION 1. Subchapter A, Chapter 501, Government Code, is amended by adding Section 501.025 to read as follows:

Sec. 501.025. PROTOCOL FOR CONTRABAND SEARCH DURING EXTREME WEATHER CONDITIONS. (a) The department shall develop and implement a protocol for conducting a contraband search during extreme heat or cold or other adverse weather conditions. The protocol must include procedures for confining inmates during a contraband search that ensure the health and safety of the inmates.

(b) In developing the protocol under Subsection (a), the department shall:

(1) consult with appropriate medical personnel and relevant stakeholders; and

(2) take into consideration variations among the facilities used to confine inmates.

(c) The department shall annually review the protocol developed under Subsection (a) and update the protocol as necessary. The department shall consult with the persons described by Subsection (b)(1) when updating the protocol.

(d) Not later than December 1 of each year, the department

1 shall submit a written copy of the protocol developed under
2 Subsection (a) to the governor, the lieutenant governor, the
3 speaker of the house of representatives, and the presiding officer
4 of each legislative standing committee with primary jurisdiction
5 over the department.

6 SECTION 2. Not later than December 1, 2018, the Texas
7 Department of Criminal Justice shall develop and implement the
8 protocol required under Section 501.025, Government Code, as added
9 by this Act.

10 SECTION 3. This Act takes effect September 1, 2017.