

BILL ANALYSIS

Senate Research Center
86R9896 JG-F

H.B. 2169
By: Allen et al. (Whitmire)
Criminal Justice
5/6/2019
Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Concerns have been raised that women confined in county jails often do not have access to an adequate supply of feminine hygiene products resulting in unnecessary health care risks and humiliation and that better information is needed regarding the number of female prisoners confined in county jails to assist in determining necessary supplies. H.B. 2169 seeks to address these concerns by setting out provisions relating to the provision of feminine hygiene products to female prisoners and to reporting requirements concerning female prisoners who are confined in county jails.

H.B. 2169 amends current law relating to reporting concerning female prisoners who are confined in county jails and to the provision of feminine hygiene products to female prisoners.

RULEMAKING AUTHORITY

Rulemaking authority is expressly granted to the Texas Commission on Jail Standards in SECTION 1 (511.009, Government Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 511.009(a), Government Code, as follows:

(a) Requires the Texas Commission on Jail Standards (TCJS) to:

(1)–(21) makes no changes to these subdivisions;

(22)–(23) makes nonsubstantive changes to these subdivision; and

(24) adopt reasonable rules and procedures establishing minimum standards for the quantity and quality of feminine hygiene products, including tampons in regular and large sizes with a plastic applicator and menstrual pads with wings in regular and large sizes, provided to a female prisoner.

SECTION 2. Amends Section 511.0101(a), Government Code, as follows:

(a) Requires each county to submit to TCJS on or before the fifth day of each month a report containing the following information:

(1) the number of prisoners confined in the county jail on the first day of the month, classified on the basis of the following categories:

(A)–(L) makes no changes to these paragraphs;

(M) makes a nonsubstantive change to this paragraph;

(N) female prisoners; and

(O) creates this paragraph from existing text and make no further changes; and

(2)–(5) makes no changes to these paragraphs.

SECTION 3. Requires TCJS, not later than December 1, 2019, to adopt the rules and procedures required by Section 511.009(a)(24), Government Code, as added by this Act.

SECTION 4. Requires a county to submit the first report required by Section 511.0101, Government Code, as amended by this Act, not later than October 5, 2019.

SECTION 5. Effective date: September 1, 2019.