86R10578 JRR-D

By:  Reynolds H.B. No. 2724

A BILL TO BE ENTITLED

AN ACT

relating to a proxy for a member of the legislature visiting a facility operated by or under contract with the Texas Department of Criminal Justice.

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

SECTION 1.  Section 501.010(a-1), Government Code, is transferred to Chapter 493, Government Code, redesignated as Section 493.032, Government Code, and amended to read as follows:

Sec. 493.032.  VISITATION FOR PURPOSES OF OBSERVING OPERATIONS OF CERTAIN FACILITIES. (a) [~~(a-1)~~] The department [~~institutional division~~] shall allow the governor, members of the legislature, persons designated under Subsection (b), and members of the executive and judicial branches to enter at proper hours any part of a facility operated by or under contract with the department [~~the division~~] where an inmate or a defendant described by Section 507.002 is [~~inmates are~~] housed or worked[~~,~~] for the purpose of observing the operations of the facility [~~division~~]. A visitor described by this subsection may talk with inmates or defendants away from [~~institutional division~~] employees.

(b)  Subject to Subsection (c), a member of the legislature may designate a person to serve as the member's proxy for the purpose of observing the operations of a facility described by Subsection (a) as authorized by that subsection. A designation made under this subsection must be approved by the department and is valid until the earlier of:

(1)  the second anniversary of the date that the person is designated under this subsection; or

(2)  the date the member ceases to be a member of the legislature.

(c)  A person is eligible to be designated as a proxy under Subsection (b) only if:

(1)  at the time the designation is made:

(A)  the person is 18 years of age or older;

(B)  there are no charges pending against the person for the commission of any offense, other than a traffic offense punishable by fine only; and

(C)  the person provides to the department a letter from the person's supervision officer stating that the officer has been informed that the person is interested in serving as a proxy, if the person is on community supervision, parole, or mandatory supervision;

(2)  the person has not, during the 12-month period preceding the date the designation is made, been convicted of or placed on deferred adjudication community supervision under Subchapter C, Chapter 42A, Code of Criminal Procedure, for any offense, other than a traffic offense punishable by fine only; and

(3)  the person has not, during the 24-month period preceding the date the designation is made, served any portion of a term of confinement in a county jail or a facility operated by or under contract with the department.

SECTION 2.  Section 507.030(a-1), Government Code, is repealed.

SECTION 3.  This Act takes effect September 1, 2019.