

By: Reynolds

H.B. No. 1979

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to prohibiting the confinement of inmates by the Texas  
3 Department of Criminal Justice in facilities operated by private  
4 vendors.

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

6 SECTION 1. Chapter 493, Government Code, is amended by  
7 adding Section 493.032 to read as follows:

8 Sec. 493.032. HOUSING IN PRIVATE FACILITY PROHIBITED. (a)  
9 Notwithstanding any other law and except as provided by Subsection  
10 (b), the department may not house or confine in a facility owned,  
11 operated, or managed by a private vendor, including on a temporary  
12 basis:

13 (1) an inmate sentenced to imprisonment in the  
14 department;

15 (2) an inmate described by Section 499.152 or 507.002;  
16 or

17 (3) a person described by Section 493.009(a).

18 (b) Subsection (a) does not apply to a residential  
19 correctional facility as defined by Section 508.157.

20 SECTION 2. Subchapter A, Chapter 495, Government Code, is  
21 amended by adding Section 495.0011 to read as follows:

22 Sec. 495.0011. CERTAIN CONTRACTS PROHIBITED. (a)  
23 Notwithstanding any other law and except as provided by Subsection  
24 (b), the board may not enter into a contract under which an inmate

1 sentenced to imprisonment in the department, an inmate described by  
2 Section 499.152 or 507.002, or a person described by Section  
3 493.009(a) will be housed or confined in a facility owned,  
4 operated, or managed by a private vendor.

5 (b) Subsection (a) does not apply to a contract relating to  
6 a residential correctional facility as defined by Section 508.157.

7 SECTION 3. Section 493.032, Government Code, as added by  
8 this Act, applies to the housing or confinement of a person  
9 described by that section on or after the effective date of this  
10 Act, regardless of whether the offense for which the person is  
11 housed or confined occurred before, on, or after the effective date  
12 of this Act.

13 SECTION 4. Section 495.0011, Government Code, as added by  
14 this Act, applies to a contract entered into or renewed on or after  
15 the effective date of this Act. A contract entered into or renewed  
16 before the effective date of this Act is governed by the law in  
17 effect at the time the contract was entered into or renewed, and the  
18 former law is continued in effect for that purpose.

19 SECTION 5. This Act takes effect September 1, 2019.