

By: Reynolds

H.B. No. 2724

A BILL TO BE ENTITLED

1 AN ACT

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

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

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

9 Sec. 493.032. VISITATION FOR PURPOSES OF OBSERVING  
10 OPERATIONS OF CERTAIN FACILITIES. (a) [~~a-1~~] The department  
11 [~~institutional division~~] shall allow the governor, members of the  
12 legislature, persons designated under Subsection (b), and members  
13 of the executive and judicial branches to enter at proper hours any  
14 part of a facility operated by or under contract with the department  
15 [~~the division~~] where an inmate or a defendant described by Section  
16 507.002 is [~~inmates are~~] housed or worked[7] for the purpose of  
17 observing the operations of the facility [~~division~~]. A visitor  
18 described by this subsection may talk with inmates or defendants  
19 away from [~~institutional division~~] employees.

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

1 valid until the earlier of:

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

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

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

8 (1) at the time the designation is made:

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

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

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

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

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

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

1 repealed.

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