

By: Johnson of Harris

H.B. No. 4510

A BILL TO BE ENTITLED

1 AN ACT  
2 relating to the use of restraints on a pregnant woman in the custody  
3 of the Texas Department of Criminal Justice.

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

5 SECTION 1. Section 501.066(a), Government Code, is amended  
6 to read as follows:

7 (a) The department may not use restraints to control the  
8 movement of a pregnant woman in the custody of the department at any  
9 time after the woman's first trimester and until the woman has  
10 recovered [~~during which the woman is in labor or delivery or~~  
11 ~~recovering~~] from delivery, unless the director or director's  
12 designee determines that the use of restraints is necessary to:

13 (1) ensure the safety and security of the woman or her  
14 infant, department or medical personnel, or any member of the  
15 public; or

16 (2) prevent a substantial risk that the woman will  
17 attempt escape.

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