

BILL ANALYSIS

H.B. 460
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Corrections
Committee Report (Unamended)

BACKGROUND AND PURPOSE

The Texas Department of Criminal Justice (TDCJ) has adopted rules that restrict prison inmates from using social media sites such as Facebook or Twitter, which have been upheld in court. These rules were put in place to address a trend of inmates maintaining social media sites for the purpose of taking advantage of individuals outside of prisons through fraud or other acts. However, TDCJ does not currently have a policy to determine whether an inmate is part of pen pal service, a method by which inmates may use the Internet to solicit the public, and sometimes in a sexual manner. H.B. 460 seeks to close this loophole by requiring the adoption of a policy that prohibit inmates who are serving sentences for sexual offenses from soliciting pen pals online.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

H.B. 460 amends the Government Code to require the Texas Department of Criminal Justice (TDCJ), not later than December 1, 2021, to adopt a policy that prohibits an inmate who is serving a sentence for an offense requiring registration as a sex offender and is confined in a facility operated by or under contract with TDCJ from placing an advertisement soliciting a pen pal on a website operated for that purpose, regardless of whether another person submits or pays for the advertisement.

EFFECTIVE DATE

September 1, 2021.