

By: González of El Paso, Allen

H.B. No. 1307

A BILL TO BE ENTITLED

AN ACT

relating to the care of pregnant women in county jail or in the custody of the Texas Department of Criminal Justice.

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

SECTION 1. Subchapter B, Chapter 501, Government Code, is amended by adding Section 501.0668 to read as follows:

Sec. 501.0668. DUTIES FOLLOWING MISCARRIAGE OR PHYSICAL OR SEXUAL ASSAULT OF PREGNANT INMATE. (a) In this section:

(1) "Physical assault" means any conduct that constitutes an offense under Section 22.01 or 22.02, Penal Code.

(2) "Sexual assault" means any conduct that constitutes an offense under Section 22.011 or 22.021, Penal Code.

(b) As soon as practicable after receiving a report of a miscarriage or physical or sexual assault of a pregnant inmate, the department shall ensure that an obstetrician or gynecologist and a mental health professional promptly:

(1) review the health care services provided to the inmate; and

(2) order additional health care services, including obstetrical and gynecological services and mental health services, as appropriate.

SECTION 2. Subchapter C, Chapter 351, Local Government Code, is amended by adding Section 351.048 to read as follows:

Sec. 351.048. DUTIES FOLLOWING MISCARRIAGE OR PHYSICAL OR

1 SEXUAL ASSAULT OF PREGNANT PRISONER. (a) In this section:

2 (1) "Physical assault" means any conduct that  
3 constitutes an offense under Section 22.01 or 22.02, Penal Code.

4 (2) "Sexual assault" means any conduct that  
5 constitutes an offense under Section 22.011 or 22.021, Penal Code.

6 (b) As soon as practicable after receiving a report of a  
7 miscarriage or physical or sexual assault of a pregnant prisoner  
8 while in the custody of a county jail, the sheriff shall ensure that  
9 an obstetrician or gynecologist and a mental health professional  
10 promptly:

11 (1) review the health care services provided to the  
12 prisoner; and

13 (2) order additional health care services, including  
14 obstetrical and gynecological services and mental health services,  
15 as appropriate.

16 SECTION 3. This Act takes effect September 1, 2021.