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Springer

S.B. No. 654

A BILL TO BE ENTITLED

1 AN ACT
2 relating to protecting the right to free exercise of religion and
3 ensuring access to volunteer and faith-based chaplains and
4 chaplaincy services for inmates.

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

6 SECTION 1. Section 501.009, Government Code, is amended to
7 read as follows:

8 Sec. 501.009. VOLUNTEER AND FAITH-BASED ORGANIZATIONS;
9 CHAPLAINS; REPORT. (a) The department shall adopt a policy that
10 requires each warden to identify volunteer and faith-based
11 organizations and chaplains that provide programs and services for
12 inmates housed in facilities operated by the department. The
13 policy must require each warden to actively encourage volunteer and
14 faith-based organizations and chaplains to provide the following
15 programs for inmates in the warden's facility:

- 16 (1) literacy and education programs;
17 (2) life skills programs;
18 (3) job skills programs;
19 (4) parent-training programs;
20 (5) drug and alcohol rehabilitation programs;
21 (6) support group programs;
22 (7) arts and crafts programs; and
23 (8) other programs and services determined by the

1 department to aid inmates in the transition between confinement and
2 society and to reduce incidence of recidivism among inmates.

3 (b) The policy adopted by the department must ensure that
4 inmates have access to the programs and services of volunteer and
5 faith-based chaplains. The department shall ensure that a
6 volunteer or faith-based chaplain formally designated for or
7 employed by each facility is able to:

- 8 (1) conduct religious services;
9 (2) provide pastoral care or spiritual guidance; and
10 (3) otherwise support inmates in the facility who wish
11 to receive or participate in those programs or services.

12 (c) Access to chaplains shall be reasonably facilitated to
13 the extent that one is available and willing to minister to inmates.
14 Any limitation on inmate access to a chaplain must be imposed in the
15 least restrictive manner, which may not:

- 16 (1) place an undue burden on:
17 (A) a chaplain; or
18 (B) an inmate's free exercise of religion; or
19 (2) endanger the safety or security of the facility.

20 (d) An inmate whose free exercise of religion has been
21 substantially burdened by a policy adopted under this section may:

- 22 (1) file a claim under an inmate grievance system,
23 including an inmate grievance system required under Section
24 501.008; or
25 (2) pursue any other remedy as allowed by law.

26 (e) The policy adopted by the department must require that
27 each warden submit a report to the board not later than December 31

1 of each year that includes, for the preceding fiscal year, a summary
2 of:

3 (1) the programs and services provided to inmates
4 under this section; [~~and~~]

5 (2) the actions taken by the warden to identify
6 volunteer and faith-based organizations and chaplains willing to
7 provide programs and services to inmates and to encourage those
8 organizations and chaplains to provide programs and services in the
9 warden's facility;

10 (3) any documentation related to a claim, defense, or
11 other legal action arising from an alleged violation of an inmate's
12 right to free exercise of religion; and

13 (4) any accommodation made or remedy undertaken by the
14 facility to resolve a claim of an inmate's right to free exercise of
15 religion having been burdened or violated.

16 SECTION 2. This Act takes effect September 1, 2021.