

By: Lucio

S.B. No. 1075

A BILL TO BE ENTITLED

AN ACT

relating to certain rules, policies, or procedures affecting inmates of the Texas Department of Criminal Justice.

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

SECTION 1. Chapter 492, Government Code, is amended by adding Section 492.018 to read as follows:

Sec. 492.018. ATTORNEY GENERAL OPINION REGARDING RULES, POLICIES, OR PROCEDURES AFFECTING CONSTITUTIONAL RIGHTS. (a) Before adopting a rule, policy, or procedure that materially affects the constitutional rights of a person confined in a facility operated by or under contract with the department, the board shall request an opinion from the attorney general on whether the proposed rule, policy, or procedure is constitutional.

(b) The board may not adopt a proposed rule, policy, or procedure unless the attorney general opinion states that the rule, policy, or procedure is constitutional.

(c) The attorney general shall provide to each standing committee of the legislature having primary jurisdiction over the department a copy of any opinion provided to the board under this section.

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