

BILL ANALYSIS

Senate Research Center
88R20393 MZM-F

H.B. 2708
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Criminal Justice
5/4/2023
Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Inmate advocacy organizations have raised concerns that correctional facilities may halt in-person visitation and choose to allow virtual inmate-family meetings only. In the interest of promoting family continuity, behavioral development, and the rehabilitation of an inmate in preparation for their return to society and family life, the state should ensure in-person visits are allowed for those inmates who are eligible. Currently, the Texas Department of Criminal Justice (TDCJ) has a policy of providing both in-person visits between eligible inmates and their families or video-only visitations, but the policy does not keep TDCJ from halting in-person visits given that an inmate may still be provided video-only visitations. Relying solely on TDCJ policy to ensure in-person visitation rights potentially causes a loss of family contact and personal interaction.

H.B. 2708 seeks to address this issue by requiring applicable TDCJ policies to allow in-person visitation for eligible inmates and defendants while also allowing a temporary suspension of in-person visitation in the event of a health or safety emergency.

H.B. 2708 amends current law relating to visitation policies for inmates and state jail felony defendants.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 501.010, Government Code, by adding Subsection (b-2) to require that the uniform visitation policy, regardless of the implementation of video visitation or visitation by other electronic means, allow in-person visitation for eligible inmates, provided that the policy is authorized to allow the temporary suspension of in-person visitation for a health or safety emergency.

SECTION 2. Amends Section 507.030, Government Code, by adding Subsection (c) to require that the visitation policy, regardless of the implementation of video visitation or visitation by other electronic means, allow in-person visitation for defendants who are eligible to receive visitors, provided that the policy is authorized to allow the temporary suspension of in-person visitation for a health or safety emergency.

SECTION 3. Effective date: September 1, 2023.