

By: Meza

H.B. No. 477

A BILL TO BE ENTITLED

AN ACT

relating to prohibiting the confinement of inmates by the Texas Department of Criminal Justice in facilities operated by private vendors.

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

SECTION 1. Chapter 493, Government Code, is amended by adding Section 493.035 to read as follows:

Sec. 493.035. HOUSING IN PRIVATE FACILITY PROHIBITED. (a) Notwithstanding any other law and except as provided by Subsection (b), the department may not house or confine in a facility owned, operated, or managed by a private vendor, including on a temporary basis:

(1) an inmate sentenced to imprisonment in the department;

(2) an inmate described by Section 507.002; or

(3) a person described by Section 493.009(a).

(b) Subsection (a) does not apply to a residential correctional facility as defined by Section 508.157.

SECTION 2. Subchapter A, Chapter 495, Government Code, is amended by adding Section 495.0011 to read as follows:

Sec. 495.0011. CERTAIN CONTRACTS PROHIBITED. (a) Notwithstanding any other law and except as provided by Subsection (b), the board may not enter into a contract under which an inmate sentenced to imprisonment in the department, an inmate described by

1 Section 507.002, or a person described by Section 493.009(a) will
2 be housed or confined in a facility owned, operated, or managed by a
3 private vendor.

4 (b) Subsection (a) does not apply to a contract relating to
5 a residential correctional facility as defined by Section 508.157.

6 SECTION 3. Section 493.035, Government Code, as added by
7 this Act, applies to the housing or confinement of a person
8 described by that section on or after the effective date of this
9 Act, regardless of whether the offense for which the person is
10 housed or confined occurred before, on, or after the effective date
11 of this Act.

12 SECTION 4. Section 495.0011, Government Code, as added by
13 this Act, applies to a contract entered into or renewed on or after
14 the effective date of this Act. A contract entered into or renewed
15 before the effective date of this Act is governed by the law in
16 effect at the time the contract was entered into or renewed, and the
17 former law is continued in effect for that purpose.

18 SECTION 5. This Act takes effect September 1, 2023.