

1-1 By: Israel, et al. (Senate Sponsor - Whitmire) H.B. No. 1140
 1-2 (In the Senate - Received from the House May 4, 2015;
 1-3 May 6, 2015, read first time and referred to Committee on Criminal
 1-4 Justice; May 14, 2015, reported adversely, with favorable
 1-5 Committee Substitute by the following vote: Yeas 6, Nays 1;
 1-6 May 14, 2015, sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8				
1-9	X			
1-10	X			
1-11	X			
1-12		X		
1-13	X			
1-14	X			
1-15	X			

1-16 COMMITTEE SUBSTITUTE FOR H.B. No. 1140 By: Whitmire

1-17 A BILL TO BE ENTITLED
 1-18 AN ACT

1-19 relating to the confinement of pregnant prisoners in county jails.
 1-20 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:
 1-21 SECTION 1. Chapter 511, Government Code, is amended by
 1-22 adding Section 511.0103 to read as follows:
 1-23 Sec. 511.0103. NOTIFICATION REGARDING POLICY CHANGE. In
 1-24 the manner prescribed by the commission, a county jail shall notify
 1-25 the commission of any change in the jail's policies and procedures
 1-26 related to:
 1-27 (1) the provision of health care to pregnant
 1-28 prisoners; and
 1-29 (2) the placement of a pregnant prisoner in solitary
 1-30 confinement or administrative segregation.
 1-31 SECTION 2. (a) In this section, "commission" means the
 1-32 Commission on Jail Standards.
 1-33 (b) Not later than September 1, 2016, each sheriff shall
 1-34 report to the commission regarding the implementation in the county
 1-35 jails in the sheriff's county of policies and procedures to provide
 1-36 adequate care to pregnant prisoners confined in the jail. A report
 1-37 to the commission must be on a form prescribed by the commission and
 1-38 include the following:
 1-39 (1) a description of the sheriff's actions to comply
 1-40 with the rules and procedures adopted under Section 511.009(a)(18),
 1-41 Government Code, and any policies adopted by the sheriff regarding
 1-42 the placement of a pregnant prisoner in solitary confinement or
 1-43 administrative segregation;
 1-44 (2) information regarding the health care provided to
 1-45 a pregnant prisoner, including the availability of:
 1-46 (A) obstetrical or gynecological care;
 1-47 (B) prenatal health care visits;
 1-48 (C) mental health care; and
 1-49 (D) drug abuse or chemical dependency treatment;
 1-50 (3) a detailed summary of the following as applicable
 1-51 to pregnant prisoners:
 1-52 (A) nutritional standards, including the average
 1-53 caloric intake of a pregnant prisoner and other dietary
 1-54 information;
 1-55 (B) work assignments;
 1-56 (C) housing conditions; and
 1-57 (D) situations in which a pregnant prisoner has
 1-58 been restrained, including the reason a determination to use
 1-59 restraints was made under Section 361.082, Local Government Code;
 1-60 and

2-1 (4) the number of miscarriages experienced by pregnant
2-2 prisoners confined in the jail between September 1, 2015, and the
2-3 date the report is submitted.

2-4 (c) Not later than December 1, 2016, the commission shall
2-5 compile, analyze, and summarize the information contained in the
2-6 reports submitted by sheriffs under Subsection (b) of this section.
2-7 The commission shall provide a copy of the summary to:

- 2-8 (1) the governor;
- 2-9 (2) the lieutenant governor;
- 2-10 (3) the speaker of the house of representatives; and
- 2-11 (4) each standing committee of the senate and house of
2-12 representatives having primary jurisdiction over matters relating
2-13 to corrections.

2-14 (d) As soon as practicable after the effective date of this
2-15 Act, the commission shall prescribe the form for a report required
2-16 to be submitted under Subsection (b) of this section.

2-17 (e) This section expires February 1, 2017.

2-18 SECTION 3. Not later than December 1, 2015, the Commission
2-19 on Jail Standards shall adopt rules to implement Section 511.0103,
2-20 Government Code, as added by this Act.

2-21 SECTION 4. This Act takes effect September 1, 2015.

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