

## **BILL ANALYSIS**

H.B. 511  
By: Moody  
Criminal Jurisprudence  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

Interested parties note that current law, in most circumstances, makes it an offense for employees of certain correctional facilities to violate the civil rights of or engage in sexual conduct with someone in the custody of the facility. However, some observers note that the employees of facilities that house individuals detained on grounds of immigration status may not be subject to those penalties. Advocates for detainees contend that the same protections from civil rights violations and sexual misconduct should be afforded to persons detained in such facilities on grounds of immigration status. H.B. 511 seeks to remedy this inequity.

### **CRIMINAL JUSTICE IMPACT**

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

### **ANALYSIS**

H.B. 511 amends the Penal Code to expand the definition of "correctional facility," for purposes of statutory provisions making it an offense for certain individuals to intentionally violate the civil rights of a person in custody or engage in improper sexual activity with a person in custody, to include any place or facility designated for the detention of a person suspected of violating a provision of the federal Immigration and Nationality Act.

H.B. 511 amends the Code of Criminal Procedure to make a conforming change.

### **EFFECTIVE DATE**

September 1, 2015.