

## **BILL ANALYSIS**

H.B. 239  
By: Hernandez  
Corrections  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

Recently enacted legislation provided for health care standards regarding pregnant inmates in Texas, and H.B. 239 seeks to ensure the implementation and uniformity of these standards by requiring the Texas Department of Criminal Justice (TDCJ) to report on the confinement of pregnant inmates in TDCJ facilities.

### **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. 239 requires the Texas Department of Criminal Justice (TDCJ) to prepare a report on the confinement of pregnant inmates in facilities operated by or under contract with TDCJ. The bill requires the report to include a description of TDCJ's implementation of policies and procedures to provide adequate care to pregnant inmates while confined in a facility operated by or under contract with TDCJ and any policies adopted by TDCJ regarding the placement of a pregnant inmate in administrative segregation; information regarding the health care provided to a pregnant inmate; as applicable to pregnant inmates, a detailed summary of nutritional standards, work assignments, housing conditions, and situations in which a pregnant inmate has been restrained; and the number of miscarriages experienced by pregnant inmates while confined in a facility operated by or under contract with TDCJ between September 1, 2017, and September 1, 2018. The bill requires TDCJ, not later than December 1, 2018, to provide a copy of the report to the governor, the lieutenant governor, the speaker of the house of representatives, and each standing committee of the senate and house of representatives having primary jurisdiction over matters relating to corrections. The bill expires February 1, 2019.

### **EFFECTIVE DATE**

September 1, 2017.