

SUBJECT: Prohibiting smoking in county jails

COMMITTEE: County Affairs — committee substitute recommended

VOTE: 7 ayes — Gutierrez, Chisum, Hamric, G. Lewis, Longoria, Muñoz, R. Lewis

0 nays

2 absent — Kamel, Wohlgemuth

WITNESSES: For — Lynwood Moreau, Harris County Deputy Sheriff's Union

Against — None

DIGEST: CSHB 1056 would amend Local Government Code, Subchapter Z, Chapter 351, to authorize county sheriffs to prohibit smoking in county jails or other correctional facilities.

If smoking was prohibited in a county jail and a person provided or attempted to provide tobacco to an inmate, it would be a Class C misdemeanor (maximum \$500 fine).

CSHB would take effect immediately if approved by two-thirds of the membership of each house.

NOTES: The original version of HB 1056 applied only to counties with a population of 2.8 million or more. It also gave the authority to ban smoking to the commissioners court and exempted county sheriff employees. An offense under the original version was a Class B misdemeanor.

The companion, SB 860 by Ellis was referred to the Intergovernmental Affairs committee on March 2, 1995.