

BILL ANALYSIS

Senate Research Center

C.S.H.B. 507
By: Dutton (Whitmire)
Criminal Justice
5-18-97
Committee Report (Amended)

DIGEST

Current law requires vendors contracting with the Texas Department of Criminal Justice (TDCJ) to meet the same standards that are required of all state-operated facilities. Although current law covers many areas of concern with regard to contracting vendors, it does not cover employment requirements for those guards employed by vendors under a contract with TDCJ. H.B. 507 requires private vendors to employ as guards only individuals whose educational background and previous employment experience meet or exceed the requirements applicable to guards employed by TDCJ; and makes a violation of this requirement a Class B misdemeanor.

PURPOSE

As proposed, H.B. 507 establishes provisions regarding educational and employment experience requirements for certain individuals hired as guards in facilities that house inmates; and provides penalties.

RULEMAKING AUTHORITY

This bill does not grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 495.003, Government Code, by amending Subsection (c), and by adding Subsection (f), to require a proposal, in addition to meeting the requirements specified in the requests for proposals, to provide that the private vendor employ as guards only individuals whose educational backgrounds and previous employment experience meet or exceed the requirements applicable to guards employed by the Texas Department of Criminal Justice (TDCJ). Requires the Texas Board of Health to include in each request for proposals under this section a statement of the minimum educational background and employment experience required of guards employed by TDCJ.

SECTION 2. Amends Chapter 511, Government Code, by adding Section 511.0097, as follows:

Sec. 511.0097. QUALIFICATIONS FOR GUARDS IN CERTAIN PRIVATE PRISONS.
Requires the Commission on Jail Standards to require that an entity listed in Subsection (b) that houses inmates convicted of offenses committed against the laws of another state employ as guards only individuals whose educational backgrounds and previous employment experience meet or exceed the requirements applicable to guards employed by TDCJ. Provides that this section applies to a private vendor operating a correctional facility under a contract with another state, a county, or a municipality.

SECTION 3. Effective date: September 1, 1997.
Makes application of this Act prospective.

SECTION 4. Emergency clause.

SUMMARY OF COMMITTEE CHANGES

Amendment 1.

Page 3, lines 14 and 15, strikes Section "511.0092" and replaces with Section "511.0097".

Page 4, lines 1 and 2, strikes proposed Subsection (c), providing that an entity that violates Subsection (a) commits a criminal offense punishable as a Class B misdemeanor.