

BILL ANALYSIS

Senate Research Center
87R10045 BDP-F

H.B. 3114
By: Shine (Buckingham)
Criminal Justice
5/20/2021
Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

In Texas, county jails are required to be constructed for in-person visitation, except for those built for video visitation that were grandfathered into this requirement before September 1, 2015. Jails that allow for video visitation do not have clear direction from current law regarding requirements for the expansion of jail facilities, nor does state law clarify if a previously exempted jail offering video visitation must also add in-person visitation centers when expanding its facilities. There have been calls for further clarification regarding the rules and procedures of the Texas Commission on Jail Standards (TCJS) for prison visitation. H.B. 3114 seeks to provide this clarification.

H.B. 3114 establishes that any addition to or renovation of a county jail that is exempt from mandatory compliance with a TCJS rule or procedure establishing minimum standards for prisoner visitation is not required to comply with any such rule or procedure.

H.B. 3114 amends current law relating to rules or procedures of the Commission on Jail Standards regarding prisoner visitation.

RULEMAKING AUTHORITY

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

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 511.009(a-1), Government Code, to provide that any addition to or renovation of a county jail to which Subsection (a-1) (relating to excepting certain prisons from Subsection (a)(20)) applies is not required to comply with any Texas Commission on Jail Standards rule or procedure adopted under Subsection (a)(20) (relating to requiring rules establishing minimum standards for prisoner visitation).

SECTION 2. Effective date: September 1, 2021.