

BILL ANALYSIS

Senate Research Center
76R144 GWK-D

S.B. 420
By: Shapiro
Criminal Justice
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As Filed

DIGEST

Currently, there is no Texas statute that prevents inmates in the Texas Department of Criminal Justice (TDCJ) or in a state jail facility from participating in a prison work program that gives the inmates access to personal information about citizens. Some inmates have abused the absence of this law and have obtained personal information regarding private citizens. This bill would prohibit TDCJ from entering into a contract with a private business or public entity that permits an inmate to have access to personal information about persons not confined in the prison system.

PURPOSE

As proposed, S.B. 420 prohibits the Texas Department of Criminal Justice (TDCJ) from entering into contracts with entities requiring or permitting TDCJ inmates to have access to information about persons not confined in TDCJ facilities.

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 Chapter 497A, Government Code, by adding Section 497.011, as follows:

Sec. 497.011. CERTAIN CONTRACTS PROHIBITED. Prohibits the Texas Department of Criminal Justice (TDCJ) from entering into a contract with a private business or public entity that requires or permits an inmate confined in a correctional facility operated by or for TDCJ to have access to personal information about persons who are not confined in facilities operated by or for TDCJ.

SECTION 2. Repealers: Section 497.098, Government Code (Prohibition from participation in certain work programs); Section 498.0041, Government Code (Forfeiture for work program violations); and Section 507.028, Government Code (Prohibition from participation in certain work programs).

SECTION 3. Repealer: Section 38.111, Penal Code (Inmate Misuse of Information Gained Through Work Program).

SECTION 4. Makes application of SECTION 1 of this Act prospective.

SECTION 5. Makes application of the repeal by this Act of Section 38.111, Penal Code, prospective.

SECTION 6. Requires the director of the institutional division to forfeit good conduct time earned by an inmate convicted of an offense under Section 38.111, Penal Code, as provided by Section 498.0041, regardless of whether the conviction occurred before, on, or after the effective date of this Act, and Section 498.0041, is continued in effect for that purpose, notwithstanding the repeal of Section 498.0041, Government Code.

SECTION 7. Effective date: September 1, 1999.

SECTION 8. Emergency clause.