

By: Guillen

H.B. No. 1266

A BILL TO BE ENTITLED

1 AN ACT  
2 relating to the creation of the Adult and Juvenile Administrative  
3 Segregation Task Force.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

5 SECTION 1. ADULT AND JUVENILE ADMINISTRATIVE SEGREGATION  
6 TASK FORCE. (a) In this Act:

7 (1) "Facility" means:

8 (A) a facility operated by or under contract with  
9 the Texas Department of Criminal Justice;

10 (B) a facility operated by a county, a  
11 municipality, or a private vendor for the confinement of a person  
12 arrested for, charged with, or convicted of a criminal offense; or

13 (C) a public or private juvenile secure detention  
14 facility.

15 (2) "Inmate" means a person arrested for, charged  
16 with, or convicted of a criminal offense of this state or another  
17 state of the United States and confined in any facility in this  
18 state.

19 (3) "Task force" means the Adult and Juvenile  
20 Administrative Segregation Task Force established under this  
21 section.

22 (b) The Adult and Juvenile Administrative Segregation Task  
23 Force is established.

24 (c) The task force is composed of the following 18 members:

- 1           (1) the executive director of the Texas Department of  
2 Criminal Justice or the executive director's designee;
- 3           (2) the executive director of the Texas Juvenile  
4 Justice Department or the executive director's designee;
- 5           (3) the executive director of the Commission on Jail  
6 Standards or the executive director's designee;
- 7           (4) the director of the Texas Correctional Office on  
8 Offenders with Medical or Mental Impairments or the director's  
9 designee;
- 10          (5) the presiding officer of the Correctional Managed  
11 Health Care Committee or the presiding officer's designee;
- 12          (6) one representative designated by the office of  
13 independent ombudsman of the Texas Juvenile Justice Department;
- 14          (7) one representative designated by Disability  
15 Rights Texas;
- 16          (8) one representative designated by the Texas  
17 Association of Business;
- 18          (9) one representative designated by Texas Impact;
- 19          (10) one representative designated by the Texas  
20 Criminal Justice Coalition;
- 21          (11) one representative designated by Mental Health  
22 America of Texas;
- 23          (12) one representative designated by the National  
24 Alliance on Mental Illness; and
- 25          (13) six members appointed by the governor, consisting  
26 of:
  - 27               (A) one representative of a nonprofit entity

1 involved with the reintegration of inmates;

2 (B) one representative of a faith-based  
3 organization involved with the reintegration of inmates;

4 (C) one member who was convicted of a criminal  
5 offense in this state;

6 (D) one member who has expertise in issues  
7 related to adult or juvenile criminal justice; and

8 (E) two members who have expertise in issues  
9 related to administrative segregation, seclusion, or solitary  
10 confinement.

11 (d) The governor shall designate a member of the task force  
12 to serve as presiding officer.

13 (e) The task force shall meet at the times and places that  
14 the presiding officer determines are appropriate.

15 (f) A member of the task force is not entitled to  
16 compensation but is entitled to reimbursement for the member's  
17 actual and necessary expenses incurred in attending meetings of the  
18 task force and performing other official duties authorized by the  
19 presiding officer of the task force, as provided by the General  
20 Appropriations Act.

21 (g) The task force is not subject to Chapter 2110,  
22 Government Code.

23 SECTION 2. DUTIES OF TASK FORCE. The task force shall:

24 (1) conduct a comprehensive review of administrative  
25 segregation and seclusion policies and practices in facilities in  
26 this state;

27 (2) develop methods to:

1           (A) reduce the number of inmates and juveniles  
2 housed in administrative segregation or subject to other  
3 restrictive means of confinement; and

4           (B) provide inmates and juveniles housed in  
5 administrative segregation with increased access to programs,  
6 services, and mental health treatment; and

7           (3) make findings and policy recommendations relating  
8 to the use of administrative segregation in facilities in this  
9 state.

10         SECTION 3. REPORT. Not later than December 1, 2014, the  
11 task force shall deliver a report of the task force's findings and  
12 recommendations to the governor, the lieutenant governor, the  
13 speaker of the house of representatives, the standing committees of  
14 each house of the legislature with primary jurisdiction over  
15 criminal justice matters, the executive director of the Texas  
16 Department of Criminal Justice, and the executive director of the  
17 Texas Juvenile Justice Department.

18         SECTION 4. EXPIRATION. The task force is abolished and this  
19 Act expires August 31, 2015.

20         SECTION 5. INITIAL APPOINTMENTS; FIRST MEETING. (a) Not  
21 later than the 60th day after the effective date of this Act, the  
22 governor shall make the appointments required by Section 1(c) of  
23 this Act.

24         (b) The presiding officer of the task force shall convene  
25 the first meeting of the task force not later than December 1, 2013.

26         SECTION 6. EFFECTIVE DATE. This Act takes effect  
27 immediately if it receives a vote of two-thirds of all the members

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1 elected to each house, as provided by Section 39, Article III, Texas  
2 Constitution. If this Act does not receive the vote necessary for  
3 immediate effect, this Act takes effect September 1, 2013.