

## **BILL ANALYSIS**

Senate Research Center  
76R7173 SRC-D

H.B. 3294  
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Criminal Justice  
5/3/1999  
Engrossed

### **DIGEST**

Currently, Texas law prohibits the resale of products made in the Texas Department of Criminal Justice (TDCJ) on the open market. However, TDCJ makes state flags, which the legislature has been purchasing and reselling to house and senate members for a number of years. The sale of these items may be considered a Class B misdemeanor. H.B. 3294 would exempt Texas flags and similar items from the prohibition on reselling prison-made products, and would authorize either house of the legislature to acquire and provide for the sale and distribution of the items.

### **PURPOSE**

As proposed, H.B. 3294 sets forth provisions regarding the sale of Texas flags and similar items by the legislature.

### **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 301B, Government Code, by adding Section 301.033, as follows:

Sec. 301.033. SALE OF TEXAS FLAGS AND SIMILAR ITEMS. Authorizes either house of the legislature to acquire and provide for the sale of Texas flags and other items carrying symbols of the State of Texas.

SECTION 2. Amends Section 497.010, Government Code, by adding Subsection (c), to provide that it is an exception to the application of this section that the article or product sold is a state flag or similar item produced for sale or distribution by the legislature under Section 301.033.

SECTION 3. Emergency clause.

Effective date: upon passage.