

BILL ANALYSIS

Senate Research Center
76R429 GWK-D

C.S.S.B. 258
By: West
Criminal Justice
3/18/1999
Committee Report (Substituted)

DIGEST

Currently, Texas law does not consider prisoners of the Texas Department of Criminal Justice to be “employees” for purposes of the Texas Hazard Communication Act, Chapter 502 of the Health and Safety Code. Thus, state prison inmates are not statutorily required to be informed about and trained in using hazardous chemicals in their workplace. There are approximately 55,000 offenders who have direct contact with chemicals requiring Hazard Communication Act training. This figure represents offenders assigned to industry, food service, laundry, maintenance, agriculture, and support service inmate orderly duties. C.S.S.B. 258 authorizes applicability of the Hazard Communication Act to certain inmates of the Texas Department of Criminal Justice.

PURPOSE

As proposed, C.S.S.B. 258 authorizes applicability of the Hazard Communication Act to certain inmates of the Texas Department of Criminal Justice.

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 502, Health and Safety Code, by adding Section 502.020, as follows:

Sec. 502.020. Provides that a person imprisoned in a facility operated by or for the Texas Department of Criminal Justice (department) is not an employee for the purpose of this Act. Requires the department to provide a person imprisoned in a facility operated by or for the department with the protections from exposure to hazardous chemicals in the workplace as provided for in this Act.

SECTION 2. Emergency clause.

Effective date: upon passage.

SUMMARY OF COMMITTEE CHANGES

SECTION 1.

Adds Section 502.020, Health and Safety Code, to provide that a person imprisoned in a facility operated by or for the department is not an employee for the purpose of this Act. Requires the department to provide a person imprisoned in a facility operated by or for the department with the protections from exposure to hazardous chemicals in the workplace as provided for in this Act. Deletes reference to Section 502.003(10), Health and Safety Code, redefining “employees.”