

BILL ANALYSIS

C.S.H.B. 2701
By: White
County Affairs
Committee Report (Substituted)

BACKGROUND AND PURPOSE

It has been suggested that pregnant women in county jails need specific care and attention to ensure the appropriate health and development of the child and the safety of the mother. C.S.H.B. 2701 seeks to address this issue by helping to ensure county jailers are appropriately trained concerning interacting with pregnant women confined in jail.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that rulemaking authority is expressly granted to the Texas Commission on Law Enforcement in SECTION 5 of this bill.

ANALYSIS

C.S.H.B. 2701 amends the Occupations Code to require the Texas Commission on Law Enforcement (TCOLE) to develop a training program for county jailers that consists of education and training concerning interacting with a pregnant woman confined in a county jail. The bill requires the program to be based on obstetrical and gynecological best practices and include general information on:

- pregnancy, labor, delivery, and recovery;
- identifying when a woman is in labor;
- appropriate prenatal and postnatal care and first aid techniques specific to pregnant women; and
- factors that increase the risk of a miscarriage.

C.S.H.B. 2701 requires the curriculum of the preparatory training program for appointed county jailers in the operation of a county jail required by TCOLE to include the training program developed under the bill's provisions. The bill requires TCOLE to require a county that appoints or employs a county jailer to provide each jailer with the training program at least once every 48 months and requires the training to be provided by a medical professional. The bill applies only to a person appointed as a county jailer on or after January 1, 2020. The bill requires TCOLE to adopt rules necessary to implement the bill's provisions relating to the requirement for TCOLE to require a county that appoints or employs a county jailer to provide each jailer with the training program.

EFFECTIVE DATE

September 1, 2019.

COMPARISON OF ORIGINAL AND SUBSTITUTE

While C.S.H.B. 2701 may differ from the original in minor or nonsubstantive ways, the following summarizes the substantial differences between the introduced and committee substitute versions of the bill.

The substitute changes the state agency required to develop the training program from the Commission on Jail Standards to the Texas Commission on Law Enforcement.