

The Texas Commission on Jail Standards (TCJS) adopts amendments to §251.6 under Chapter 251 Part 9 of Title 37 of the Texas Administrative Code without changes to the text as proposed in the June 12, 2026, issue of the *Texas Register* (51 TexReg 3862). Statutory authority to adopt this rule comes from Texas Government Code 511.009.

No comments were received during the public comment period. No further article, statute, or code is affected by this adoption. The rule will not be republished.

The adoption of this rule adds guardianship language to the Complaints section of minimum jail standards.

<rule>

§ 251.6. Complaints.

(a) General. A complaint received by the commission concerning facilities under the commission's purview or the commission and/or its procedures or functions shall be investigated and resolved according to commission internal policies and procedures. All inspection reports, plan reviews and bills for services issued by the commission shall provide instructions for directing complaints to the commission regarding commission functions and procedures.

(b) Filing a Complaint. An individual who has a complaint about a facility under the commission's purview or the commission may file a complaint in any written format or use the commission's prescribed complaint form. The complaint form is available on the agency website and may be submitted electronically or may be obtained by contacting the commission through the agency website, telephone, fax, email, or written request.

(c) Jails shall include information regarding the procedure for filing a complaint, its investigation, and its resolution in the approved inmate handbook and shall display and maintain the information prominently throughout the jail in common areas and other areas frequented by jail inmates.

(1) Upon receipt of the Order Appointing Guardian, a Guardian shall be given an inmate handbook. The jail staff shall document in the inmate file the acceptance or refusal of the handbook by the Guardian.

(d) Public Disclosure. A complaint against a facility under the commission's purview or the commission will only be made available for public disclosure in accordance with Government Code Chapter 552.

The Texas Commission on Jail Standards (TCJS) adopts amendments to §253.1 under Chapter 253 Part 9 of Title 37 of the Texas Administrative Code without changes to the text as proposed in the June 12, 2026, issue of the *Texas Register* (51 TexReg 3863). Statutory authority to adopt this rule comes from Texas Government Code 511.009.

No comments were received during the public comment period. No further article, statute, or code is affected by this adoption. The rule will not be republished.

The adoption of this rule adds definitions related to guardianship of a ward and jail operations.

<rule>

§ 253.1. DEFINITIONS.

The following words and terms, when used in this part, shall have the following meanings, unless the context clearly indicates otherwise.

(1) Administrative Separation--The assignment of an inmate to a special housing unit, usually a separation or single cell, when staff determines that such close custody is needed for the safety of inmates or staff, for the security of the facility, or to promote order in the facility.

(2) Allied Health Personnel--Licensed health professionals that are involved with the delivery of health-related services pertaining to the identification, evaluation, and prevention of diseases and disorders; dietary and nutrition services; and rehabilitation and health systems management.

(3) Capacity--The number of inmates a facility is authorized by the commission to house, excluding holding, detoxification, and violent cells.

(4) Commission--Texas Commission on Jail Standards.

(5) Control Area--The area inside the security perimeter to which inmates have only controlled access.

(6) Control Room--A secured, enclosed room which contains facility door controls, intercom panels and/or fire alarm panels.

(7) Correctional Facility--A facility operated by a county, a municipality, or a private vendor for the confinement of a person arrested for, charged with, or convicted of a criminal offense. May be referred to as "facility".

(8) County Jail--A facility operated by or for a county for the confinement of persons accused or convicted of an offense. May be referred to as a "jail" or "facility".

(9) Day Room--A space within or adjacent to single cells, multiple occupancy cells, and dormitories specifically for inmate day time activities.

(10) Detoxification Cell--A cell designed for the temporary holding of intoxicated persons.

(11) Direct Supervision--An inmate supervision management style in which a jailer(s) are stationed inside a housing unit 24 hours per day.

(12) Disabled--Persons who have a physical or mental impairment that substantially limits 1 or more of the major life activities of such individuals.

(13) Dormitory--A cell designed to accommodate 9 to 48 inmates.

(14) "Guardianship Database Query" (GDQ) – a database maintained by the Office of Court Administration, accessed via TLETS terminal, used to confirm the guardianship status Guardian upon receipt of verified guardianship documentation.

(15) Guardian is defined by 1002.012 of the Texas Estates Code:

(a) Guardian means a person appointed as a:

(1) guardian under Subchapter D, Chapter 1101;

(2) successor guardian; or

(3) temporary guardian.

(b) Except as expressly provided otherwise, "guardian" includes:

(1) the guardian of the estate of an incapacitated person; and

(2) the guardian of the person of an incapacitated person.

(16) "Ward" means a person for whom a guardian has been appointed. (Texas Estates Code 1002.030)

(17) "Letters of Guardianship" means a certificate issued under 1106.001(a) of the Texas Estates Code.

(18) Existing Facility--A maximum security, lockup, or minimum security facility that was being operated as such on December 23, 1976.

(19) Jailer Station--A designated space from which a jailer performs his/her functions.

(20) High Risk--High-risk cells consist of areas where observation of 30 minutes or less is required.

(21) Holding Cell--A cell designed for the temporary holding of inmates not to exceed 48 hours.

(22) Inmate Housing Area--Cells and day rooms where inmates are assigned.

(23) Inmate Occupied Area--Any area in the facility normally occupied by inmates.

(24) Jailer--A person appointed or employed as a county jailer, under the provisions of Local Government Code §85.005; Government Code §511.0092; Occupations Code §1701.001(2).

(25) May--Permissive or optional.

(26) Multiple Occupancy Cell--A cell designed to accommodate two to eight inmates.

(27) Owner--A county commissioner's court, municipality, or private vendor who holds title to a facility.

(28) Safety Vestibule--An enclosed space, served by at least two doors, that serves as a passageway between two areas.

(29) Sally Port--A secured space inside or abutting a facility for vehicles to deliver or pick up inmates or goods.

(30) Security Perimeter--The outer limits of the facility where construction prevents egress by inmates or ingress by unauthorized persons or contraband.

(31) Separation Cell--A special purpose cell designed to accommodate 1 inmate. The cell minimally contains 1 bunk, mirror, toilet, lavatory, shower, table, and seat. This cell is used to house inmates requiring protection or whose behavior requires close supervision.

(32) Shall--Mandatory and required for compliance.

(33) Sheriff/Operator--County sheriff, jail administrator, or a person authorized to act with their authority.

(34) Should--Recommended but not required for compliance.

(35) Single Cell--A cell designed to accommodate 1 inmate. The cell minimally contains 1 bunk, toilet, lavatory, table and seat.

(36) Small Jail--A facility with a capacity of less than 50 inmates.

(37) Special Purpose Cell--Detoxification cell, holding cell, separation cell, violent cell, negative pressure cell and medical cells. These cells are not required to be provided with day rooms or safety vestibules.

(38) System--A combination of all facilities creating a functional unit.

(39) Violent Cell--A single occupancy padded cell for the temporary holding of inmates harmful to themselves and or others.

(40) Ward--An infirmary area holding a number of inmates.

The Texas Commission on Jail Standards (TCJS) adopts amendments to §265.4 Inmate Files under Chapter 265 Part 9 of Title 37 of the Texas Administrative Code without changes to the text as proposed in the June 12, 2026, issue of the *Texas Register* (51 TexReg 3865). Statutory authority to adopt this rule comes from Texas Government Code 511.009.

No comments were received during the public comment period. No further article, statute, or code is affected by this adoption. The rule will not be republished.

The adoption of this rule adds guardianship language to the admissions section of minimum jail standards.

<rule>

§ 265.4. Inmate Files.

(a) Upon intake, a file on each inmate shall be established. The file shall include:

(1) for inmates who have been appointed a Guardian, the following information:

(a) the information contained in the Guardianship Database Query (GDQ) return, under Texas Government Code 155.153.

(b) documentation showing that the court with jurisdiction over the guardianship has been notified pursuant to Texas Code of Criminal Procedure 15.171(b);

(c) documentation showing that the Guardian has been notified of the incarceration; and

(d) the Order Appointing Guardia along with currenet letters of guardianship or documentation that the Order and current letters have been requested from the court with jurisdiction of the guardianship.

(2) name of inmate with aliases;

(3) description;

(4) gender

(5) marital status;

(6) address;

(7) date of birth;

(8) offense charged;

(9) date of commitment;

(10) previous criminal record;

(11) record of injuries;

(12) inmate property inventory;

(13) disabilities warranting special accessibility consideration;

(14) name, address, and phone number of person to be contacted in event of emergency;

(15) the name of the delivering officer, and the arresting agency;

(16) documents that purport to legally authorize the inmate's commitment.

(17) documentation showing whether the Guardian refuses or accepts the inmate handbook.

(b) Upon intake, a medical record shall be established and shall be kept separate.

The Texas Commission on Jail Standards (TCJS) adopts amendments to §265.5 Health Tags under Chapter 265 Part 9 of Title 37 of the Texas Administrative Code without changes to the text as proposed in the June 12, 2026, issue of the *Texas Register* (51 TexReg 3866). Statutory authority to adopt this rule comes from Texas Government Code 511.009.

No comments were received during the public comment period. No further article, statute, or code is affected by this adoption. The rule will not be republished.

The adoption of this rule adds guardianship language to the admissions section of minimum jail standards.

<rule>

§ 265.5. Health Tags.

"Health tags" which may identify the inmate as having special medical or mental health needs, or a Guardian, shall be noted in the inmate's medical record and brought to the attention of health personnel and/or the supervisor on duty in writing.

The Texas Commission on Jail Standards (TCJS) adopts amendments to §265.7 Telephone Use under Chapter 265 Part 9 of Title 37 of the Texas Administrative Code without changes to the text as proposed in the June 12, 2026, issue of the *Texas Register* (51 TexReg 3866). Statutory authority to adopt this rule comes from Texas Government Code 511.009.

No comments were received during the public comment period. No further article, statute, or code is affected by this adoption. The rule will not be republished.

The adoption of this rule adds guardianship language to the admissions section of minimum jail standards.

<rule>

§ 265.5. Health Tags.

§ 265.7. Telephone Use.

A telephone shall be available for inmates' use within the processing area. The facility shall allow reasonable access to a written or electronic contact list that is in the inmate's possession upon booking. For inmates with a Guardian, the jail shall attempt to facilitate communication with the Guardian.

The Texas Commission on Jail Standards (TCJS) adopts amendments to §273.2 Health Services Plan under Chapter 273 Part 9 of Title 37 of the Texas Administrative Code without changes to the text as proposed in the June 12, 2026, issue of the *Texas Register* (51 TexReg 3868). Statutory authority to adopt this rule comes from Texas Government Code 511.009.

No comments were received during the public comment period. No further article, statute, or code is affected by this adoption. The rule will not be republished.

The adoption of this rule adds guardianship language to the health services section of minimum jail standards.

<rule>

§ 273.2 Health Services Plan.

Each facility shall have and implement a written plan, approved by the Commission, for inmate medical, mental, and dental services. The plan shall:

- (1) provide procedures for regularly scheduled sick calls;
- (2) provide procedures for referral for medical, mental, and dental services;
- (3) provide procedures for efficient and prompt care for acute and emergency situations;
- (4) provide procedures for long-term, convalescent, and care necessary for disabled inmates;
- (5) provide procedures for medical, to include obstetrical and gynecological care, mental, nutritional requirements, special housing and appropriate work assignments and the documented use of restraints during labor, delivery and recovery for known pregnant inmates. A sheriff/operator shall notify the commission of any changes in policies and procedures in the provision of health care to pregnant prisoners. A sheriff/operator shall notify the commission of any changes in policies and procedures in the placement of a pregnant prisoner in administrative separation. As soon as practicable after receiving a report of a miscarriage or physical or sexual assault of a pregnant inmate while in the custody of a county jail, the sheriff shall ensure that an obstetrician or gynecologist and a mental health professional promptly:
 - (A) review the health care services provided to the prisoner; and
 - (B) order additional health care services, including obstetrical and gynecological services and mental health services, as appropriate.
- (6) provide procedures for the control, distribution, secured storage, inventory, and disposal of prescriptions, syringes, needles, and hazardous waste containers;

(7) provide procedures for the distribution of prescriptions in accordance with written instructions from a physician by an appropriate person designated by the sheriff/operator;

(8) provide procedures for the control, distribution, and secured storage of over-the-counter medications;

(9) provide procedures for the rights of inmates to refuse health care in accordance with informed consent standards for certain treatments and procedures (in the case of minors, the informed consent of a parent, guardian, or legal custodian, when required, shall be sufficient);

(10) provide procedures for all examinations, treatments, and other procedures to be performed in a reasonable and dignified manner and place;

(11) provide that adequate first aid equipment and patient evacuation equipment be on hand at all times;

(12) provide procedures that shall require that a qualified medical professional shall review as soon as possible any prescription medication an inmate is taking when the inmate is taken into custody. These procedures shall include providing each prescription medication that a qualified medical professional or mental health professional determines is necessary for the care, treatment, or stabilization of an inmate with mental illness;

(13) provide procedures that shall give inmates the ability to access a mental health professional at the jail or through a telemental health service 24 hours a day and approved by the Commission by August 31, 2020. If a mental health professional is not present at the county jail at the time or available by telemental health services, then require the jail to provide the inmate access to, at a minimum, a qualified mental health professional (as defined by 25 TAC §412.303(48)) within a reasonable time;

(14) provide procedures that shall give prisoners the ability to access a health professional at the jail or through a telehealth service 24 hours a day or, if a health professional is unavailable at the jail or through a telehealth service, provide for a prisoner to be transported to access a health professional and approved by the Commission by August 31, 2020; and

(15) provide procedures to train staff to identify when a pregnant inmate is in labor and provide access to appropriate care. Inmates shall be promptly transported to a local hospital when they state that they are in labor or are determined by a person at the level of emergency medical technician or above to be in labor and;

(16) provide procedures for a guardian of the person, who has medical decision-making authority, to have access to the Ward's jail medical records and to make medical decisions for the Ward.

The Texas Commission on Jail Standards (TCJS) adopts new rule §273.9 Guardianship under Chapter 273 Part 9 of Title 37 of the Texas Administrative Code without changes to the text as proposed in the June 12, 2026, issue of the *Texas Register* (51 TexReg 3868). Statutory authority to adopt this rule comes from Texas Government Code 511.009.

No comments were received during the public comment period. No further article, statute, or code is affected by this adoption. The rule will not be republished.

The adoption of this rule adds guardianship guidance and language to the health services section of minimum jail standards.

<rule>

§ 273.9. Guardianship.

Order appointing Guardian shall be obtained for review of what powers and authority the Guardian obtains and what, if any, rights are retained by the Ward. Said Orders shall be obtained by the jail staff from the Court with jurisdiction over the guardianship or from the Guardian.

- (1) Guardian Notification and Consent – for an inmate who has a guardian of the person with legal authority to make medical decisions for the inmate the medical provider shall:
 - (a) Notify and see consent from a Guardian who has the authority to make medical decisions for the Ward, for all medical decisions other than emergency care pursuant to Texas Health and Safety Code Section 773,008;
 - (b) Contact the Guardian and request medical history; and
 - (c) Document in the medical record all decisions regarding medical treatment, consent, refusal and Guardian communication regarding the same.
- (2) Access to Medical Records – Guardian of the person with the power to review or take possession of medical records shall have access to the inmate's medical records.

The Texas Commission on Jail Standards (TCJS) adopts amendments to §259.132 under Chapter 259 Part 9 of Title 37 of the Texas Administrative Code without changes to the text as proposed in the June 12, 2026, issue of the *Texas Register* (51 TexReg 3864). Statutory authority to adopt this rule comes from Texas Government Code 511.009.

No comments were received during the public comment period. No further article, statute, or code is affected by this adoption. The rule will not be republished.

The adoption of this rule updates standards to be more easily understood.

<rule>

§259.132. Exercise Areas.

One or more secure exercise areas shall be provided. Where outdoor exercise areas are provided, alternate areas shall be available for use during inclement weather, and they should be covered with a security enclosure. Where outdoor exercise areas are not provided, facility design shall ensure access to sunlight. A toilet and drinking fountain shall be readily available. Exercise areas shall meet minimum size requirements: facilities under 100 inmates, 800 square feet; larger facilities, 15 square feet per inmate, but not less than 1,000 square feet per area; multiple-inmate segregation areas, 15 square feet per inmate, but not less than 500 square feet per area; and single-inmate segregation areas, 200 square feet. Each direct supervision housing area shall have an exercise area nearby, which should be adjacent to the housing area.