

By: White, Allen, Sherman, Sr., et al.

H.B. No. 2442

Substitute the following for H.B. No. 2442:

By: Murr

C.S.H.B. No. 2442

A BILL TO BE ENTITLED

AN ACT

relating to the creation of the Justice Reinvestment Incentive Program.

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

SECTION 1. Subtitle C, Title 11, Local Government Code, is amended by adding Chapter 364 to read as follows:

CHAPTER 364. JUSTICE REINVESTMENT INCENTIVE PROGRAM

Sec. 364.0001. DEFINITIONS. In this chapter:

(1) "Department" means the Texas Department of Criminal Justice.

(2) "Local authorities" includes a district attorney, criminal district attorney, or county attorney, a judge of a district or county court having criminal jurisdiction, a county commissioners court, and the head of a law enforcement agency.

Sec. 364.0002. JUSTICE REINVESTMENT PLAN. (a) The local authorities in a county may create and implement a two-year justice reinvestment plan to reduce the number of:

(1) persons from the county who are convicted of felony offenses and committed to the department; and

(2) incarceration years to which persons from the county are sentenced to serve in a facility operated by or under contract with the department.

(b) A justice reinvestment plan may include the following strategies:

- 1 (1) increased use of pre-arrest or pretrial diversion
2 programs;
3 (2) increased use of community supervision programs;
4 (3) improvements to indigent defense programs; and
5 (4) any other law enforcement or prosecutorial
6 strategy designed to reduce incarceration as described by
7 Subsection (a).

8 Sec. 364.0003. INCENTIVE. (a) As compared to the two-year
9 period preceding January 1, 2020, if a justice reinvestment plan
10 operating for a two-year period results in a reduction in the number
11 of persons from the county who are convicted of felony offenses and
12 committed to the department by not less than 25 percent, the county
13 may apply to the comptroller for an award of money in an amount
14 equal to 90 percent of the amount of the actual cost savings to the
15 state due to the reduction.

16 (b) An application for an award under this section must
17 include:

18 (1) a description of the incarceration reduction
19 strategies used by the county;

20 (2) the reduction in the number of persons convicted
21 and committed; and

22 (3) the reduction in the number of incarceration years
23 to which persons were sentenced.

24 (c) If the comptroller finds that the county has implemented
25 a justice reinvestment plan that meets the requirements of this
26 section, the comptroller shall award to the county an amount
27 consistent with Subsection (a).

1 (d) At least one-half of an award made under this section
2 must be used to offset supervision-related court costs or fees
3 assessed against persons placed on pretrial supervision or
4 community supervision.

5 Sec. 364.0004. REPORT. The comptroller shall make
6 available a report describing the justice reinvestment plans for
7 which awards have been issued under this chapter.

8 Sec. 364.0005. RULES. The comptroller shall adopt rules to
9 implement this chapter.

10 Sec. 364.0006. FUNDS. The comptroller may use any
11 available funds to implement this chapter.

12 SECTION 2. This Act takes effect September 1, 2021.