

By: Hall

S.B. No. 318

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to the confinement in a county jail of a person pending a  
3 transfer to the Texas Department of Criminal Justice and to the  
4 compensation for certain costs of confinement.

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

6 SECTION 1. Section 499.071, Government Code, is amended to  
7 read as follows:

8 Sec. 499.071. SCHEDULED ADMISSIONS POLICY. The board shall  
9 adopt and enforce a scheduled admissions policy that requires  
10 [~~permits~~] the department [~~institutional division~~] to accept  
11 persons [~~inmates~~] within 45 days of processing as required by  
12 Section 499.1215 [~~499.121(c)~~].

13 SECTION 2. Subchapter F, Chapter 499, Government Code, is  
14 amended by adding Section 499.1215 to read as follows:

15 Sec. 499.1215. TRANSFER TO DEPARTMENT; COMPENSATION TO  
16 COUNTIES. (a) The department shall take custody of a person  
17 awaiting transfer to the department following conviction of a  
18 felony not later than the 45th day following the date on which all  
19 processing required for transfer has been completed.

20 (b) If the department does not take custody of a person  
21 within the period prescribed by Subsection (a), the department  
22 shall compensate the county for the cost of confinement for each day  
23 that the person remains confined in the county jail following the  
24 expiration of that period. The compensation must be equal to the

1 amount that would have been incurred by the department to confine  
2 the person for that period.

3 SECTION 3. Section 499.121(c), Government Code, is  
4 repealed.

5 SECTION 4. Not later than December 31, 2023, the Texas Board  
6 of Criminal Justice shall adopt the scheduled admissions policy  
7 required by Section 499.071, Government Code, as amended by this  
8 Act.

9 SECTION 5. Section 499.1215, Government Code, as added by  
10 this Act, applies only to compensation to a county for the cost of  
11 confinement of a person that occurs on or after January 1, 2024,  
12 regardless of whether all processing required for transfer of the  
13 person to the Texas Department of Criminal Justice is completed  
14 before, on, or after that date.

15 SECTION 6. This Act takes effect immediately if it receives  
16 a vote of two-thirds of all the members elected to each house, as  
17 provided by Section 39, Article III, Texas Constitution. If this  
18 Act does not receive the vote necessary for immediate effect, this  
19 Act takes effect September 1, 2023.