

By: Allen

H.B. No. 1855

A BILL TO BE ENTITLED

AN ACT

relating to state compensation to counties based on the use of
alternatives to revocation of community supervision.

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

SECTION 1. Chapter 509, Government Code, is amended by
adding Section 509.0111 to read as follows:

Sec. 509.0111. REWARDS FOR USE OF ALTERNATIVES TO
REVOCATION. (a) The division, from an amount otherwise spent on
confining in state jail felony facilities persons convicted of
possessing less than one gram of a controlled substance listed in
Penalty Group 1, shall make payments to a county served by a
department in the manner provided by this section. A payment made
under this section does not reduce payments to be made under Section
509.011.

(b) Each year, the division shall make a payment to each
county based on the average number of felony convictions in the
county for the four-year period preceding the calendar year in
which the payment is made, including felony convictions in which
the defendant was placed on community supervision.

(c) Money received by a county under this section may be
used only to:

(1) reimburse the Texas Department of Criminal
Justice, at a rate to be determined by the Criminal Justice Policy
Council, for each revocation of the community supervision of an

1 individual convicted of a felony, other than a revocation based on
2 the commission of a new offense punishable by confinement or
3 imprisonment; or

4 (2) establish and maintain a program that provides
5 alternatives to imprisonment of convicted felons, or supplement any
6 existing program provided by the county or a department serving the
7 county that provides alternatives to imprisonment of convicted
8 felons.

9 (d) A county is not required to reimburse the Texas
10 Department of Criminal Justice as otherwise required by Subsection
11 (c)(1) during any year in which the number of convictions in the
12 county of the felony for which the defendant is imprisoned in the
13 institutional division or confined in a state jail felony facility
14 is less than one-tenth of one percent of the number of convictions
15 of that felony in the entire state.

16 SECTION 2. This Act takes effect September 1, 2003.