

BILL ANALYSIS

H.B. 87
By: Madden
Corrections
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Under current law, the Texas Board of Criminal Justice (TBCJ) may only contract for a total of 4,580 correctional center beds that are operated, maintained, and managed by a private vendor or county. These types of facilities can house a maximum of 1,000 inmates. When capacity needs arise, TBCJ contracts with county jails and private facilities at costs of approximately \$40 and \$30 per day, respectively.

HB 87 takes into account capacity issues and gives more flexibility to the Texas Department of Criminal Justice by increasing the maximum cap on the average daily inmate population at a contract facility from 1,000 to 1,200 and the total overall cap from 4,580 to 4,780. By doing so, HB 87 allows the State to make use of available beds in existing facilities instead of sending all overflow of state prisoners to county facilities, thus easing the burden on counties and resulting in cost savings to the State.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

Amends Section 495.001(b), Government Code, by increasing the cap per contracted correctional facility from 1,000 to 1,200. Also amends Section 495.007, Government Code, by increasing the overall cap on contracts for correctional facilities from 4,580 to 4,780.

EFFECTIVE DATE

This Act takes effect on the 91st day after the last day of the legislative session or immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution.