

## **BILL ANALYSIS**

C.S.H.B. 3118  
By: Allen, Ray  
County Affairs  
Committee Report (Substituted)

### **BACKGROUND AND PURPOSE**

Under currently law, the Commission on Jail Standards cannot collect fees to reinspect a municipal or county jail that had been found in non-compliance of the commission's minimum standards. It cost the state in both staff time and well as travel/per diem to send inspectors back to the facilities to reinspect.

C.S.H.B. 3118 authorizes the Commission to charge a reasonable fee and to deposit it to the credit of a special account in the general revenue fund to pay the cost incurred by the commission in performing the reinspections.

### **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**

SECTION 1. Amends section 511.0091, Government Code, by adding Subsection (c-1) and amending Subsection (d) to read as follows:

(c-1) In addition to the other fees authorized by this section, the commission is authorized to set and collect a reasonable fee to cover the cost of performing any reinspection of a municipal or county jail that is conducted by the commission following a determination by the commission that the jail is not in compliance with minimum standards: and in response to a request by the operator of the jail for an inspection.

(d) All money paid to the commission under this chapter is subject to Subchapter F, Chapter 404(State funds Reform Act); and is required to be deposited to the credit of a special account in the general revenue fund to be appropriated only to pay costs incurred by the commission in performing services under this chapter.

SECTION 2. Effective Date

### **EFFECTIVE DATE**

September 1, 2005

### **COMPARISON OF ORIGINAL TO SUBSTITUTE**

The Substitute changes the original by stating that the commission can collect a fee to cover the cost of performing a reinspection in response to a request by the operator of the jail for an inspection. The original stated that the commission could collect a fee in response to a request by the operator of the jail for a reinspection.