

BILL ANALYSIS

H.B. 198
By: Madden
Corrections
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Under current law, the Texas Board of Criminal Justice may only contract for a total of 4,580 secure correctional facility beds that are operated, maintained, and managed by a private vendor or county. When capacity needs arise, the board contracts with county jails and private facilities at costs of approximately \$40 and \$30 per day, respectively.

HB 198 gives more flexibility to the Texas Department of Criminal Justice by increasing the cap on the average daily inmate population at a contract facility from 1,000 to 1,500 and the total overall cap from 4,580 beds to 5,580 beds. By doing so, HB 198 allows the state to make use of available beds in existing private 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

HB 198 amends the Government Code by increasing the maximum average daily population allowed at a facility operated, maintained, and managed by a private vendor or county under subchapter A, Chapter 495 from 1,000 to 1,500 inmates. This bill also provides that the Texas Board of Criminal Justice may not enter into contracts under subchapter A, Chapter 495 for more than 5,580 beds, an increase from 4,580 beds.

EFFECTIVE DATE

Upon passage, or, if the Act does not receive the necessary vote, the Act takes effect September 1, 2007.