

By: Turner

H.B. No. 2699

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the creation of special monitors for the Commission on
3 Jail Standards.

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

5 SECTION 1. Section 511.0091, Government Code, is amended by
6 adding Subsections (e) and (f) to read as follows:

7 (e) In addition to the other fees authorized by this
8 section, the commission may:

9 (1) set a reasonable fee to cover the cost of any
10 review and monitoring of a correctional facility conducted by a
11 special monitor with whom the commission contracts under Section
12 511.018; and

13 (2) collect on a monthly basis the fee set under
14 Subdivision (1) from each county or municipality with a
15 correctional facility that was under review or monitoring by a
16 special monitor during any period of the month, regardless of
17 whether the correctional facility is purchased, designed,
18 constructed, leased, operated, maintained, or managed by a private
19 vendor on behalf of the county or municipality or operated entirely
20 by the county or municipality.

21 (f) Out of the fees collected under Subsection (e), the
22 commission:

23 (1) shall compensate a special monitor in accordance
24 with the terms of the commission's contract with the monitor under

1 Section 511.018; and

2 (2) may retain not more than two percent of the fees
3 collected to pay costs incurred by the commission in administering
4 Section 511.018.

5 SECTION 2. Chapter 511, Government Code, is amended by
6 adding Section 511.018 to read as follows:

7 Sec. 511.018. SPECIAL MONITORS. (a) The executive
8 director shall select persons with whom the commission shall
9 contract to serve as special monitors for the commission. The
10 commission shall provide training and supervision for persons with
11 whom the commission contracts under this subsection.

12 (b) In selecting persons with whom the commission contracts
13 under Subsection (a), the executive director shall:

14 (1) select persons who are not employees of the
15 commission or a correctional facility;

16 (2) comply with any applicable requirement or standard
17 established by the Texas Building and Procurement Commission; and

18 (3) use criteria related to the nature of the
19 deficiency that resulted in the facility's report of noncompliance.

20 (c) A contract entered under this section must:

21 (1) set an amount of monthly compensation to be paid to
22 the special monitor; and

23 (2) expire on the 90th day after the date the
24 correctional facility under review and monitoring by the special
25 monitor is certified by the commission to comply with all
26 applicable state laws and minimum standards adopted by the
27 commission.

1 (d) A special monitor shall:

2 (1) review and monitor the conditions in a
3 correctional facility that has failed three consecutive annual
4 inspections under this chapter;

5 (2) ensure that a correctional facility described by
6 Subdivision (1) is taking adequate measures to remedy any
7 deficiency that resulted in the facility's report of noncompliance;

8 (3) suggest to a correctional facility described by
9 Subdivision (1) additional measures the facility could take to
10 remedy any deficiency described by Subdivision (2);

11 (4) provide to a correctional facility under review by
12 the special monitor a quarterly report concerning the status and
13 progress of the review; and

14 (5) provide to the commission at each regular
15 quarterly commission meeting a status report concerning each
16 facility under review with the special monitor.

17 SECTION 3. This Act takes effect September 1, 2007.