

Amend SB 1009 on third reading by striking added Section 511.0102, Government Code, as added by Amendment No. 2 to CSSB 1009 by Martinez Fischer, and substituting:

Sec. 511.0102. WAIVER OF CERTAIN PRISONERS IN CALCULATING JAIL POPULATION FOR COMPLIANCE DETERMINATIONS. (a) The commission may:

(1) grant a variance to a rule, standard, or procedure of the commission that is based on, or includes as a factor in compliance, the population of the jail; and

(2) allow a jail to exclude from the calculation of the population of the jail any prisoner who is:

(A) detained for only a technical violation of the conditions of the prisoner's parole; or

(B) described by Section 511.0101(a)(1)(K).

(b) The commission may not grant a variance under Subsection (a)(1) that would result in an inadequate number of corrections officers being available to provide safe, suitable, and sanitary conditions in a jail.

(c) For each circumstance in which the commission determines that a county jail does not comply with a rule, standard, or procedure of the commission that is based on, or includes as a factor in compliance, the population of the jail, the commission shall:

(1) determine whether the jail would be in compliance if the jail excluded from the calculation of the population of the jail any prisoner described by Subsection (a)(2); and

(2) notify the jail of the determination made under Subdivision (1).