

By: Shapleigh

S.B. No. 2176

A BILL TO BE ENTITLED

AN ACT

relating to the timely transfer of inmates from certain county jails to the Texas Department of Criminal Justice.

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

SECTION 1. Subchapter F, Chapter 499, Government Code, is amended by adding Section 499.127 to read as follows:

Sec. 499.127. REQUIRED TRANSFER OF INMATES FROM CERTAIN COUNTIES. (a) This section applies only to the department's acceptance of an inmate who is under an order of commitment to the department and who is confined in a county jail in a county in which the average number of days that an inmate eligible for transfer to the department remains in the county jail exceeds the statewide average number of days an inmate eligible for transfer remains in a county jail before the inmate is accepted by the department.

(b) Notwithstanding Section 499.121(c) or any other law, the department shall accept an inmate described by Subsection (a) not later than the date that corresponds to the statewide average number of days an inmate eligible for transfer remains in a county jail before the inmate is accepted by the department.

SECTION 2. Section 499.127, Government Code, as added by this Act, applies only to the acceptance by the Texas Department of Criminal Justice of an inmate who is confined in a county jail and is under an order of commitment to the department that is entered on or after the effective date of this Act. The acceptance by the

1 Texas Department of Criminal Justice of an inmate who is confined in  
2 a county jail and is under an order of commitment to the department  
3 that is entered before the effective date of this Act is governed by  
4 the law in effect on the date the order of commitment was entered,  
5 and the former law is continued in effect for that purpose.

6 SECTION 3. This Act takes effect immediately if it receives  
7 a vote of two-thirds of all the members elected to each house, as  
8 provided by Section 39, Article III, Texas Constitution. If this  
9 Act does not receive the vote necessary for immediate effect, this  
10 Act takes effect September 1, 2009.