

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 81ST LEGISLATIVE REGULAR SESSION

April 6, 2009

TO: Honorable Jim McReynolds, Chair, House Committee on Corrections

FROM: John S. O'Brien, Director, Legislative Budget Board

IN RE: HB4684 by Homer (Relating to state prisoners in a county jail.), **As Introduced**

<p>No significant fiscal implication to the State is anticipated.</p>
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The bill would amend Chapter 351, Local Government Code, by adding Section 351.005. The bill would require that a prisoner who is awaiting transfer to the Texas Department of Criminal Justice - Institutional Division shall not be included in any determination concerning compliance with Chapter 351, Subchapter A or the rules of the Commission on Jail Standards.

The Texas Commission on Jail Standards would need to modify their inspection process to ensure that all records of offenders awaiting transfer to the Texas Department of Criminal Justice (TDCJ) are maintained separate from other inmate records so they are excluded from compliance review. This includes admission, classification, discipline, grievance and medical records. The bill could prolong the physical plant inspection of a county depending on how the county houses TDCJ offenders.

Local Government Impact

The fiscal impact to counties would vary depending on the number of offenders housed in the county jail awaiting transfer at a given time and depending on the length of time they await transfer, as well as timing of a compliance review.

Source Agencies: 409 Commission on Jail Standards

LBB Staff: JOB, ESi, DB, MC