

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 81ST LEGISLATIVE REGULAR SESSION

May 5, 2009

TO: Honorable Garnet Coleman, Chair, House Committee on County Affairs

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

IN RE: SB1009 by Deuell (Relating to the continuation and functions of the Commission on Jail Standards.), **Committee Report 2nd House, Substituted**

No significant fiscal implication to the State is anticipated.

The Texas Commission on Jail Standards (TCJS) is subject to the Sunset Act and will be abolished on September 1, 2009, unless continued by the Legislature. The bill would take effect on September 1, 2009.

SECTION 5 of the bill amends the Government Code, Chapter 511 by adding Section 511.0061 to include language requiring the TCJS to make effective use of technology in its delivery of services and provision of information to the public.

SECTION 6 of the bill amends the Government Code, Section 511.0071 to require the TCJS to adopt updated rules and procedures to clearly describe the complaints process; provide a standard form for submitting complaints; and establish a procedure to track, analyze, and report summary information about complaints to the Commission members.

SECTION 8 of the bill amends the Government Code by adding Section 511.0085 which requires the TCJS to develop a comprehensive set of risk factors and a risk assessment plan to guide the inspections process for all jails under its jurisdiction.

SECTION 9 of the bill amends the Government Code, Section 511.009 to require the TCJS to develop a best practices program to share useful information about jail compliance and common operational challenges with its stakeholders and report to the Texas Correctional Office on Offenders with Medical or Mental Impairments (TCOOMMI) on a jail's compliance with certain provisions in the Code of Criminal Procedure related to defendants with mental illness or mental retardation. The bill would also require the TCJS to adopt rules and procedures for minimum requirements for jails related to pregnant inmates.

SECTION 11 of the bill amends the Government Code by adding Section 511.0115 requiring the TCJS to provide public information about the compliance status of jails on the agency's website.

SECTION 12 of the bill amends the Government Code by adding Section 511.018 requiring the TCJS to develop a policy that encourages the use of negotiated rule making and alternative dispute resolution.

SECTION 13 of the bill repeals the Government Code, Section 511.0071(c) relating to the TCJS to establish methods by which consumers and service recipients are notified of the name, mailing address, and telephone number to the commission for the purpose of directing complaints.

The Texas Commission on Jail Standard anticipates no significant fiscal impact to their agency.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies: 116 Sunset Advisory Commission, 409 Commission on Jail Standards

LBB Staff: JOB, GG, MC, TP, ESi, KK