

## **BILL ANALYSIS**

C.S.H.B. 684  
By: Larson  
County Affairs  
Committee Report (Substituted)

### **BACKGROUND AND PURPOSE**

Interested parties assert that, currently, counties may temporarily house a prisoner in a tent or other facility that is not a county jail if authorized by the Commission on Jail Standards on request of the sheriff and county commissioners court.

C.S.H.B. 684 seeks to allow counties to house county jail inmates in tents or other facilities in lieu of a county jail and remove the requirement that the sheriff and county commissioners court request the housing of the inmate before the county is granted that housing authority.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that rulemaking authority is expressly granted to the Commission on Jail Standards in SECTION 2 of this bill.

### **ANALYSIS**

C.S.H.B. 684 amends the Local Government Code to add the specification to the authorization of a county to house a prisoner in a tent or other facility that is not a county jail that the housing of the prisoner is for the duration of the prisoner's sentence. The bill removes from that authorization the condition that the Commission on Jail Standards authorize a county to house a prisoner in a tent or other facility that is not a county jail on request of the sheriff and the commissioners court of a county. The bill requires the commission to adopt rules that govern the housing, rather than the temporary housing, of prisoners in a tent or other facility that is not a county jail. The bill makes conforming and nonsubstantive changes.

### **EFFECTIVE DATE**

On passage, or, if the bill does not receive the necessary vote, September 1, 2011.

### **COMPARISON OF ORIGINAL AND SUBSTITUTE**

C.S.H.B. 684 differs from the original by specifying that the authorization of a county to house a prisoner in a tent or other facility that is not a county jail is for the duration of the prisoner's sentence, rather than indefinitely, as provided in the original.