

By: Harper-Brown

H.B. No. 1763

A BILL TO BE ENTITLED

AN ACT

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

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

SECTION 1. Section 499.121, Government Code, is amended by adding Subsection (c-1) to read as follows:

(c-1) Notwithstanding Subsection (c), on and after September 1, 2011, the department has a duty to accept, not later than the 30th day after the date on which all processing required for transfer has been completed, each inmate confined in a county jail while under an order of commitment to the department following conviction of a felony of the first, second, or third degree or a capital felony.

SECTION 2. Section 499.071, Government Code, is amended to read as follows:

Sec. 499.071. SCHEDULED ADMISSIONS POLICY. The board shall adopt and enforce a scheduled admissions policy that:

(1) permits the department [institutional division] to accept inmates within 45 days of processing as required by Section 499.121(c); and

(2) requires the department to accept inmates within 30 days of processing as required by Section 499.121(c-1).

SECTION 3. The change in law made by this Act applies only to the acceptance by the Texas Department of Criminal Justice of an

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

9 SECTION 4. This Act takes effect September 1, 2011.