

1-1 By: Williams S.B. No. 1698
1-2 (In the Senate - Filed March 11, 2011; March 23, 2011, read
1-3 first time and referred to Committee on Transportation and Homeland
1-4 Security; May 2, 2011, reported adversely, with favorable
1-5 Committee Substitute by the following vote: Yeas 8, Nays 0;
1-6 May 2, 2011, sent to printer.)

1-7 COMMITTEE SUBSTITUTE FOR S.B. No. 1698 By: Williams

1-8 A BILL TO BE ENTITLED
1-9 AN ACT

1-10 relating to reporting concerning inmates who are confined in county
1-11 jails and subject to federal immigration detainers.

1-12 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-13 SECTION 1. Subsection (a), Section 511.0101, Government
1-14 Code, as amended by Chapters 977 (H.B. 3654) and 1215 (S.B. 1009),
1-15 Acts of the 81st Legislature, Regular Session, 2009, is reenacted
1-16 and amended to read as follows:

1-17 (a) Each county shall submit to the commission on or before
1-18 the fifth day of each month a report containing the following
1-19 information:

1-20 (1) the number of prisoners confined in the county
1-21 jail on the first day of the month, classified on the basis of the
1-22 following categories:

1-23 (A) total prisoners;

1-24 (B) pretrial Class C misdemeanor offenders;

1-25 (C) pretrial Class A and B misdemeanor offenders;

1-26 (D) convicted misdemeanor offenders;

1-27 (E) felony offenders whose penalty has been
1-28 reduced to a misdemeanor;

1-29 (F) pretrial felony offenders;

1-30 (G) convicted felony offenders;

1-31 (H) prisoners detained on bench warrants;

1-32 (I) prisoners detained for parole violations;

1-33 (J) prisoners detained for federal officers;

1-34 (K) prisoners awaiting transfer to the

1-35 institutional division of the Texas Department of Criminal Justice
1-36 following conviction of a felony or revocation of probation,
1-37 parole, or release on mandatory supervision and for whom paperwork
1-38 and processing required for transfer have been completed;

1-39 (L) prisoners detained after having been
1-40 transferred from another jail and for whom the commission has made a
1-41 payment under Subchapter F, Chapter 499, Government Code;

1-42 (M) prisoners for whom an immigration detainer
1-43 has been issued by United States Immigration and Customs
1-44 Enforcement ~~[who are known to be pregnant]~~; and

1-45 (N) other prisoners;

1-46 (2) the total capacity of the county jail on the first
1-47 day of the month;

1-48 (3) the total number of prisoners who were confined in
1-49 the county jail during the preceding month, based on a count
1-50 conducted on each day of that month, who were known or had been
1-51 determined to be pregnant; ~~and~~

1-52 (4) the total cost to the county during the preceding
1-53 month of housing prisoners described by Subdivision (1)(M),
1-54 calculated based on the average daily cost of housing a prisoner in
1-55 the county jail; and

1-56 (5) certification by the reporting official that the
1-57 information in the report is accurate.

1-58 SECTION 2. A county shall submit the first report required
1-59 by Section 511.0101, Government Code, as amended by this Act, not
1-60 later than October 5, 2011.

1-61 SECTION 3. This Act takes effect September 1, 2011.

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