

AN ACT

relating to the authority of a county to contract with a private vendor for the operation of a detention facility.

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

SECTION 1. Section 351.102, Local Government Code, is amended to read as follows:

Sec. 351.102. ADDITIONAL AUTHORITY TO CONTRACT. The commissioners court of a county may contract with a private vendor to provide for the financing, design, construction, leasing, operation, purchase, maintenance, or management of a jail, detention center, work camp, or related facility. The commissioners court may not award a contract under this section unless the commissioners court requests proposals by public notice and not less than 30 days from such notice receives a proposal that meets or exceeds the requirements specified in the request for proposals. Before the commissioners court of a county enters into a contract under this section, the commissioners court of the county must receive the written approval of the sheriff of the county, which written approval shall not be unreasonably withheld, or if the county has a population of 2.8 million or more:

(1) consult with the sheriff regarding the feasibility of ensuring [~~ensure~~] that all services provided under the contract are required to meet or exceed standards set by the Commission on Jail Standards; or

1 (2) receive the written approval of the sheriff of the
2 county, which written approval shall not be unreasonably withheld.

3 SECTION 2. The change in law made by this Act applies only
4 to a contract entered into on or after the effective date of this
5 Act. A contract entered into before the effective date of this Act
6 is governed by the law in effect when the contract was entered into,
7 and the former law is continued in effect for that purpose.

8 SECTION 3. This Act takes effect immediately if it receives
9 a vote of two-thirds of all the members elected to each house, as
10 provided by Section 39, Article III, Texas Constitution. If this
11 Act does not receive the vote necessary for immediate effect, this
12 Act takes effect September 1, 2013.

President of the Senate

Speaker of the House

I certify that H.B. No. 1544 was passed by the House on May 2, 2013, by the following vote: Yeas 145, Nays 2, 2 present, not voting.

Chief Clerk of the House

I certify that H.B. No. 1544 was passed by the Senate on May 22, 2013, by the following vote: Yeas 31, Nays 0.

Secretary of the Senate

APPROVED: _____

Date

Governor