

By: Allen

H.B. No. 1544

Substitute the following for H.B. No. 1544:

By: Hernandez Luna

C.S.H.B. No. 1544

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to the authority of a county to contract with a private  
3 vendor for the operation of a detention facility.

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

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

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

21 (1) consult with the sheriff regarding the feasibility  
22 of ensuring [~~ensure~~] that all services provided under the contract  
23 are required to meet or exceed standards set by the Commission on  
24 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.