

By: Phillips

H.B. No. 2053

Substitute the following for H.B. No. 2053:

By: Allen

C.S.H.B. No. 2053

A BILL TO BE ENTITLED

AN ACT

relating to temporarily holding certain arrested persons in municipal jails.

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

SECTION 1. Subchapter A, Chapter 351, Local Government Code, is amended by adding Section 351.0031 to read as follows:

Sec. 351.0031. HOLDING CERTAIN ARRESTED PERSONS IN MUNICIPAL JAILS. (a) In this section, "municipal jail" means a jail operated by a municipality or by a private vendor under contract with a municipality.

(b) The commissioners court of a county with a population of 10,000 or less may contract with the governing body of a municipality to hold an arrested person in the municipal jail for a period not to exceed 72 hours after the person's arrest.

(c) The contract must require the county to pay to the municipality a daily per capita rate equal to the cost of maintaining an arrested person in the municipal jail or a daily rate on which the parties agree.

(d) It is not a violation of this subchapter for a county that contracts with a municipality in accordance with this section to hold arrested persons in a municipal jail that does not comply with the standards, rules, and procedures established under this subchapter.

(e) Notwithstanding Section 351.015, the Commission on Jail

1 Standards may not inspect or regulate a municipal jail that holds an
2 arrested person for a county under a contract authorized by this
3 section.

4 SECTION 2. This Act takes effect September 1, 2013.