

By: Phillips

H.B. No. 2053

A BILL TO BE ENTITLED

AN ACT

relating to temporarily holding certain county prisoners 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 COUNTY PRISONERS 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 a county prisoner in the municipal jail for a period not to exceed 72 hours.

(c) The contract must require the county to pay to the municipality a daily per capita rate equal to the cost of maintaining a prisoner 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 county prisoners in a municipal jail that does not comply with the standards, rules, and procedures established under this subchapter.

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