

By: Zaffirini
(Coleman)

S.B. No. 1888

A BILL TO BE ENTITLED

AN ACT

relating to a requirement that a county report the number of certain persons with mental illness detained in that county's jail.

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

SECTION 1. Section 511.0101(a), Government Code, is amended to read as follows:

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

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

- (A) total prisoners;
- (B) pretrial Class C misdemeanor offenders;
- (C) pretrial Class A and B misdemeanor offenders;
- (D) convicted misdemeanor offenders;
- (E) felony offenders whose penalty has been reduced to a misdemeanor;
- (F) pretrial felony offenders;
- (G) convicted felony offenders;
- (H) prisoners detained on bench warrants;
- (I) prisoners detained for parole violations;
- (J) prisoners detained for federal officers;
- (K) prisoners awaiting transfer to the

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

5 (L) prisoners detained after having been
6 transferred from another jail and for whom the commission has made a
7 payment under Subchapter F, Chapter 499 [~~Government Code~~];

8 (M) prisoners for whom an immigration detainer
9 has been issued by United States Immigration and Customs
10 Enforcement; and

11 (N) other prisoners;

12 (2) the total capacity of the county jail on the first
13 day of the month;

14 (3) the total number of prisoners who were confined in
15 the county jail during the preceding month, based on a count
16 conducted on each day of that month, who were known or had been
17 determined to be pregnant;

18 (3-a) the total number of prisoners who were confined
19 in the county jail during the preceding month who were not charged
20 with a criminal offense and were apprehended by a peace officer:

21 (A) for emergency detention without a warrant
22 under Section 573.001, Health and Safety Code;

23 (B) for emergency detention with a warrant issued
24 under Section 573.012, Health and Safety Code; or

25 (C) for protective custody with an order issued
26 under Section 574.022, Health and Safety Code;

27 (4) the total cost to the county during the preceding

1 month of housing prisoners described by Subdivision (1)(M),
2 calculated based on the average daily cost of housing a prisoner in
3 the county jail; and

4 (5) certification by the reporting official that the
5 information in the report is accurate.

6 SECTION 2. This Act takes effect September 1, 2015.

COMMITTEE AMENDMENT NO. 1

Amend S.B. No. 1888 (senate engrossed version) as follows:

(1) On page 1, line 5, strike "511.0101(a)" and substitute "511.0101".

(2) On page 1, lines 5 and 6, between "amended" and "to", insert "by amending Subsection (a) and adding Subsection (c)".

(3) On page 3, between lines 5 and 6, insert the following:

(c) The information used to prepare the portions of the report required by Subsection (a)(3-a) is not public information and is not subject to disclosure under Chapter 552.

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