

BILL ANALYSIS

C.S.H.B. 3440
By: Capriglione
County Affairs
Committee Report (Substituted)

BACKGROUND AND PURPOSE

It has been suggested that the process by which the Commission on Jail Standards (TCJS) collects data is outdated and inefficient. Because there is no format standardization, counties submit required monthly reports in a variety of formats ranging from PDFs to handwritten documents, forcing TCJS employees to enter data into their system by hand. C.S.H.B. 3440 seeks to promote efficiency by requiring TCJS to establish a system for the electronic submission of forms, data, and documents.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that rulemaking authority is expressly granted to the Commission on Jail Standards in SECTION 1 of this bill.

ANALYSIS

C.S.H.B. 3440 amends the Government Code to require the Commission on Jail Standards (TCJS) to establish a system for the electronic submission of forms, data, and documents required to be submitted to TCJS under applicable state law or a rule adopted under that law. The bill requires a person to submit all such forms, data, or documents through that system and in a standardized electronic format prescribed by TCJS, except that TCJS may allow the submission in a nonelectronic format. The bill requires TCJS to set and collect a reasonable fee to cover the cost of processing nonelectronic submissions. The bill authorizes TCJS to adopt rules as necessary to implement the bill's provisions.

EFFECTIVE DATE

September 1, 2019.

COMPARISON OF ORIGINAL AND SUBSTITUTE

While C.S.H.B. 3440 may differ from the original in minor or nonsubstantive ways, the following summarizes the substantial differences between the introduced and committee substitute versions of the bill.

The substitute changes the requirement for TCJS to develop and establish the system for electronic submission to a requirement only to establish that system.

The substitute does not include a requirement for TCJS to require facilities under its purview to

submit to TCJS electronically and in electronic format any required forms, data, or documents once the system is established. The substitute includes instead a requirement for a person to submit all such forms, data, or documents to TCJS through the system and in a standardized electronic format prescribed by TCJS.

The substitute specifies that the fee for processing nonelectronic forms, data, and documents is to cover the cost of processing those forms, data, and documents.

The substitute changes the bill's effective date from September 1, 2020, to September 1, 2019.