86R14063 JG-F

By:  Whitmire S.B. No. 2187

A BILL TO BE ENTITLED

AN ACT

relating to the appointment of a compliance monitor to oversee certain county jails.

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

SECTION 1.  Section 511.008, Government Code, is amended by adding Subsection (a-1) to read as follows:

(a-1)  The commission shall employ compliance monitors as necessary to oversee compliance efforts of county jails under Section 511.0122. The commission may employ assistant compliance monitors as necessary to assist a compliance monitor.

SECTION 2.  Chapter 511, Government Code, is amended by adding Section 511.0122 to read as follows:

Sec. 511.0122.  COMPLIANCE MONITORING. (a) The commission shall, on the issuance of three reports of noncompliance under Section 511.011 during an 18-month period or the issuance of five reports of noncompliance under Section 511.011 during a 36-month period, issue a remedial order appointing a compliance monitor to oversee compliance efforts of the county jail for which the findings of noncompliance were made.

(b)  A compliance monitor shall develop a compliance plan for a county jail under this section. The plan must ensure that the county jail corrects the issues identified in the reports of noncompliance issued to the county jail. The compliance monitor shall provide monthly reports to the sheriff, county judge, executive director, and commission on the county jail's progress toward meeting the requirements of the compliance plan.

(c)  A compliance monitor shall continue to oversee a county jail under this section for a period of six months after the date the commission determines that the county jail is in compliance with applicable state law and commission rules, standards, and procedures. If a report of noncompliance under Section 511.011 is issued to a county jail during the 12-month period after the county jail becomes compliant in accordance with this section, the commission shall promptly issue a remedial order appointing a compliance monitor to oversee compliance efforts of the county jail in accordance with this section.

(d)  The commission shall continue to conduct annual and other routine or special inspections during the period that a compliance monitor is overseeing a county jail.

(e)  The county in which the county jail overseen by a compliance monitor is located shall reimburse the commission for all costs incurred by the commission in overseeing the county jail, including the amount of the salary and benefits paid to the compliance monitor and any assistant compliance monitors.

(f)  The commission shall adopt rules to implement this section.

SECTION 3.  As soon as practicable after the effective date of this Act, the Commission on Jail Standards shall adopt rules as necessary to implement Section 511.0122, Government Code, as added by this Act.

SECTION 4.  This Act takes effect September 1, 2019.