

By: Perry

S.B. No. 173

A BILL TO BE ENTITLED

AN ACT

relating to requiring the state to reimburse counties for certain costs incurred in confining certain persons arrested following release from the Texas Department of Criminal Justice.

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

SECTION 1. Subchapter I, Chapter 508, Government Code, is amended by adding Section 508.285 to read as follows:

Sec. 508.285. REIMBURSEMENT TO COUNTIES. (a) A county is entitled to reimbursement from the department for the following amounts for confining a releasee or person described by Section 508.281(a) in a county jail:

(1) for a releasee or person confined only on a charge that the releasee or person has committed an administrative violation of release or confined after an ineligible release:

(A) medical or other special needs expenses incurred during any day the releasee or person is confined in the county jail; and

(B) the costs of confinement, other than those described by Paragraph (A), incurred by the county beginning on the 16th day of the releasee's or person's confinement in the county jail; and

(2) for a releasee or person confined following arrest for the alleged commission of an offense after release:

(A) medical or other special needs expenses

1 incurred during any day the releasee or person is confined in the
2 county jail after the date on which the sheriff notifies the
3 department that:

4 (i) the releasee or person has discharged
5 the sentence for the offense; or

6 (ii) the prosecution of the alleged offense
7 has been dismissed by the attorney representing the state in the
8 manner provided by Article 32.02, Code of Criminal Procedure; and

9 (B) the costs of confinement, other than those
10 described by Paragraph (A), incurred by the county beginning on the
11 16th day the releasee or person is confined in the county jail after
12 the date on which the sheriff notifies the department that:

13 (i) the releasee or person has discharged
14 the sentence for the offense; or

15 (ii) the prosecution of the alleged offense
16 has been dismissed by the attorney representing the state in the
17 manner provided by Article 32.02, Code of Criminal Procedure.

18 (b) A county shall promptly inform the department that the
19 county is confining a releasee or person described by Section
20 508.281(a).

21 (c) Not later than the 15th day of each quarter of a county's
22 fiscal year, the county judge shall certify to the comptroller of
23 public accounts the amount of medical or other special needs
24 expenses and costs of confinement incurred during the preceding
25 fiscal quarter for which the county is entitled to compensation
26 under Subsection (a). The comptroller shall issue a warrant in that
27 amount to the commissioners court of the county.

1 SECTION 2. The change in law made by this Act applies only
2 to a person who is arrested on or after the effective date of this
3 Act. A person arrested before the effective date of this Act is
4 governed by the law in effect on the date the person was arrested,
5 and the former law is continued in effect for that purpose.

6 SECTION 3. This Act takes effect September 1, 2019.