

By: Dutton

H.B. No. 954

A BILL TO BE ENTITLED

AN ACT

relating to certain contract and notice requirements applicable to certain facilities used to house inmates or releasees from the Texas Department of Criminal Justice.

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

SECTION 1. Section 493.010, Government Code, is amended to read as follows:

Sec. 493.010. CONTRACTS FOR MISCELLANEOUS HOUSING. (a) The board, for the temporary or permanent housing of inmates, may enter into leases or contract with:

(1) public or private jails; or

(2) operators of alternative housing facilities.

(b) The board may not enter into a lease or contract with an operator of an alternative housing facility that is located in a county with a population of 3.3 million or more unless the operator submits to the board a permit or other documentation showing that the facility is in compliance with all applicable municipal and county regulations.

SECTION 2. Chapter 508, Government Code, is amended by adding Subchapter E-1 to read as follows:

SUBCHAPTER E-1. ALTERNATIVE HOUSING IN CERTAIN COUNTIES

Sec. 508.171. APPLICABILITY. This subchapter applies only with respect to alternative housing that is located in a county with a population of 3.3 million or more.

1       Sec. 508.172. ALTERNATIVE HOUSING PROGRAM. The department  
2 shall require that an applicant to participate as a provider in a  
3 program designed to provide alternative housing for two or more  
4 unrelated releasees submit with the application, in the manner  
5 specified by the department, a permit or other documentation  
6 showing that the proposed alternative housing facility is in  
7 compliance with all applicable municipal and county regulations.

8       Sec. 508.173. INFORMATION REGARDING ALTERNATIVE HOUSING;  
9 NOTICE TO POLITICAL SUBDIVISION. (a) The department shall  
10 maintain the following information regarding releasees:

11           (1) a list of facilities providing alternative housing  
12 to two or more unrelated releasees, including:

13                   (A) the name, address, and telephone number of  
14 the facility;

15                   (B) the county in which the facility is located;

16                   (C) information regarding whether the facility  
17 is in compliance with all applicable municipal and county  
18 regulations;

19                   (D) the number of releasees residing at the  
20 facility; and

21                   (E) the maximum capacity of the facility; and

22           (2) a list of releasees being housed at a facility  
23 described by Subdivision (1), including:

24                   (A) the releasee's name;

25                   (B) the county in which the releasee is required  
26 to reside under Section 508.181;

27                   (C) the county in which the releasee committed

1 the offense for which the releasee is on parole or mandatory  
2 supervision;

3 (D) the alternative housing facility in which the  
4 releasee resides; and

5 (E) the date on which the releasee began residing  
6 at the facility.

7 (b) On request of a county or municipality, the department  
8 shall provide monthly the information maintained by the department  
9 under Subsection (a). A county or municipality shall notify the  
10 department if the county or municipality does not want to continue  
11 to receive the information.

12 (c) The department shall provide the information to a county  
13 or municipality under Subsection (b) by secured electronic mail and  
14 in a machine-readable format.

15 (d) On request by a member of the legislature, the  
16 department shall provide the information maintained by the  
17 department under Subsection (a) to the member.

18 SECTION 3. (a) Section 493.010, Government Code, as  
19 amended by this Act, applies only to a lease or contract entered  
20 into on or after the effective date of this Act.

21 (b) Section 508.172, Government Code, as added by this Act,  
22 applies only to an application to participate in a program  
23 described by that section that is submitted on or after the  
24 effective date of this Act.

25 SECTION 4. This Act takes effect September 1, 2021.