

By: White

H.B. No. 2442

A BILL TO BE ENTITLED

AN ACT

relating to the creation of the Justice Reinvestment Incentive Program.

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

SECTION 1. Subtitle C, Title 11, Local Government Code, is amended by adding Chapter 364 to read as follows:

CHAPTER 364. JUSTICE REINVESTMENT INCENTIVE PROGRAM

Sec. 364.0001. DEFINITIONS. In this chapter:

(1) "Department" means the Texas Department of Criminal Justice.

(2) "Division" means the criminal justice division of the governor's office.

(3) "Local authorities" includes a district attorney, criminal district attorney, or county attorney, a judge of a district or county court having criminal jurisdiction, a county commissioners court, and the head of a law enforcement agency.

Sec. 364.0002. JUSTICE REINVESTMENT PLAN. (a) The local authorities in a county may create and implement a two-year justice reinvestment plan to reduce the number of:

(1) persons from the county who are convicted of felony offenses and committed to the department; and

(2) incarceration years to which persons from the county are sentenced to serve in a facility operated by or under contract with the department.

1        (b) A justice reinvestment plan may include the following  
2 strategies:

3            (1) increased use of pre-arrest or pretrial diversion  
4 programs;

5            (2) increased use of community supervision programs;

6            (3) improvements to indigent defense programs; and

7            (4) any other law enforcement or prosecutorial  
8 strategy designed to reduce incarceration as described by  
9 Subsection (a).

10        Sec. 364.0003. INCENTIVE. (a) As compared to the two-year  
11 period preceding January 1, 2020, if a justice reinvestment plan  
12 operating for a two-year period results in a reduction in the number  
13 of persons from the county who are convicted of felony offenses and  
14 committed to the department by not less than 40 percent, the county  
15 may apply to the division for an award of money in an amount equal to  
16 90 percent of the amount of the actual cost savings to the state due  
17 to the reduction.

18        (b) An application for an award under this section must  
19 include:

20            (1) a description of the incarceration reduction  
21 strategies used by the county;

22            (2) the reduction in the number of persons convicted  
23 and committed; and

24            (3) the reduction in the number of incarceration years  
25 to which persons were sentenced.

26        (c) If the division finds that the county has implemented a  
27 justice reinvestment plan that meets the requirements of this

1 section, the division shall award to the county an amount  
2 consistent with Subsection (a).

3 (d) At least one-half of an award made under this section  
4 must be used to offset supervision-related court costs or fees  
5 assessed against persons placed on pretrial supervision or  
6 community supervision.

7 Sec. 364.0004. REPORT. The division shall make available a  
8 report describing the justice reinvestment plans for which awards  
9 have been issued under this chapter.

10 Sec. 364.0005. RULES. The division shall adopt rules to  
11 implement this chapter.

12 SECTION 2. This Act takes effect September 1, 2021.