

By: White

H.B. No. 2444

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to the creation of an advisory committee regarding the  
3 confinement in county jail of persons with intellectual or  
4 developmental disabilities.

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

6 SECTION 1. Chapter 511, Government Code, is amended by  
7 adding Section 511.022 to read as follows:

8 Sec. 511.022. ADVISORY COMMITTEE. (a) The commission  
9 shall establish an advisory committee to advise the commission and  
10 make recommendations on matters related to the confinement in  
11 county jail of persons with intellectual or developmental  
12 disabilities.

13 (b) The advisory committee consists of 11 members appointed  
14 by the presiding officer of the commission, with the commission's  
15 approval, as follows:

16 (1) one representative of the commission;

17 (2) one representative of the Department of State  
18 Health Services;

19 (3) one representative of the Health and Human  
20 Services Commission with expertise in intellectual and  
21 developmental disabilities;

22 (4) one representative of the Texas Commission on Law  
23 Enforcement;

24 (5) one representative of the Texas Correctional

1 Office on Offenders with Medical or Mental Impairments;

2 (6) one sheriff of a county with a population of 80,000  
3 or more;

4 (7) one sheriff of a county with a population of less  
5 than 80,000;

6 (8) one representative of a statewide organization  
7 that advocates for individuals with intellectual and developmental  
8 disabilities;

9 (9) one representative who is a mental health  
10 professional with a focus on trauma and intellectual and  
11 developmental disabilities;

12 (10) one representative from a state supported living  
13 center; and

14 (11) one member who represents the public.

15 (c) Members of the advisory committee serve staggered  
16 six-year terms, with the terms of three or four members expiring  
17 January 31 of each odd-numbered year. If a vacancy occurs during a  
18 member's term, the presiding officer of the commission, with the  
19 commission's approval, shall appoint a replacement to fill the  
20 unexpired term.

21 (d) The presiding officer of the commission shall designate  
22 one member of the advisory committee to serve as presiding officer  
23 of the committee for a two-year term.

24 (e) The advisory committee shall:

25 (1) gather and review data regarding the confinement  
26 in county jails of persons with intellectual or developmental  
27 disabilities; and

1           (2) provide recommendations and guidelines to  
2 sheriffs and counties regarding the confinement of persons with  
3 intellectual or developmental disabilities.

4           (f) Not later than December 1 of each even-numbered year,  
5 the advisory committee shall submit a report that includes  
6 recommendations for legislative or other action related to the  
7 confinement of persons with intellectual or developmental  
8 disabilities in county jails to:

9                   (1) the governor;

10                   (2) the lieutenant governor;

11                   (3) the speaker of the house of representatives; and

12                   (4) each standing committee of the legislature with  
13 primary jurisdiction over the commission.

14           (g) Chapter 2110, Government Code, does not apply to the  
15 size, composition, or duration of the advisory committee or to the  
16 designation of the committee's presiding officer.

17           SECTION 2. (a) Not later than January 1, 2022, the  
18 presiding officer of the Commission on Jail Standards shall appoint  
19 members to the advisory committee created under Section 511.022,  
20 Government Code, as added by this Act.

21           (b) Notwithstanding Section 511.022(c), Government Code, as  
22 added by this Act, in making the initial appointments to the  
23 advisory committee, the presiding officer of the commission shall  
24 designate four members to serve terms expiring January 31, 2023,  
25 four members to serve terms expiring January 31, 2025, and three  
26 members to serve terms expiring January 31, 2027.

27           SECTION 3. The advisory committee created under Section

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1 511.022, Government Code, as added by this Act, shall submit its  
2 first report under Section 511.022(f), Government Code, as added by  
3 this Act, not later than December 1, 2022.

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