

## **BILL ANALYSIS**

H.B. 2620  
By: Geren  
Corrections  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

After final disposition, individuals sentenced to a Texas Department of Criminal Justice (TDCJ) facility wait in county jails until they are finally transferred to the state facility, with county taxpayers bearing the financial responsibility of housing these defendants for the period between their sentencing and transfer. Counties must provide medical care and behavioral health care until the transfer. But, currently, there are no mechanisms for providing any reimbursement to counties for these expenses, which has created a financial burden on the county taxpayer. H.B. 2620 seeks to address this issue by requiring TDCJ to review and certify the documents required for transfer by a specified deadline after their receipt and to accept the individual awaiting transfer within 45 days of the date on which all the documents have been received and certified. The bill also provides a mechanism for counties to be reimbursed for the costs of holding inmates beyond that 45-day period.

### **CRIMINAL JUSTICE IMPACT**

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

### **ANALYSIS**

H.B. 2620 amends the Government Code to change the scheduled admissions policy that the Texas Board of Criminal Justice (TBCJ) must adopt and enforce from a policy that permits the institutional division of the Texas Department of Criminal Justice (TDCJ) to accept inmates within 45 days of processing to a policy that requires TDCJ to review and certify required documents relating to a convicted person that are delivered by the applicable county not later than the third day after receipt of those documents and to accept such a person within 45 days of the date on which all the documents have been received and certified. The bill requires TBCJ to adopt the policy not later than September 30, 2023.

H.B. 2620 requires TDCJ to take custody of a person awaiting transfer to TDCJ following conviction of a felony not later than the 45th day following the date on which all the required documents from the applicable county have been received and certified by TDCJ. If TDCJ does not take custody of a person within the 45-day period, TDCJ must compensate the applicable county in an amount equal to the sum of the following:

- 125 percent of the cost of confinement for each day that the person remains confined in the county jail following the expiration of the 45-day period;
- the cost of confinement for each day for the period beginning on the date on which TDCJ received the documents and ending on the date on which TDCJ certified the documents;
- and

- the cost to the county for all medical, behavioral health, and pharmaceutical care provided to the person while confined beginning on the date on which TDCJ received the documents.

For purposes of this compensation, "cost of confinement" means the cost to the county for a person's confinement based on the average daily cost of confining a person in the county jail, as determined by the county commissioners court. These provisions apply only to compensation to a county for the costs related to the confinement of a person that occurs on or after October 1, 2023.

H.B. 2620 repeals Section 499.121(c), Government Code.

**EFFECTIVE DATE**

On passage, or, if the bill does not receive the necessary vote, September 1, 2023.