

## **BILL ANALYSIS**

H.B. 5403  
By: Geren  
Intergovernmental Affairs  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

Current law gives sheriffs discretion to use commissary accounts to fund various eligible projects, programs, or personal items for inmates in county jails. For a jail under the supervision of the sheriff, commissary accounts must be audited at least once per fiscal year or more frequently if requested by the county commissioners court. Currently, sheriffs of Tarrant and Dallas Counties are required to receive the approval of the commissioners court before making a disbursement from commissary proceeds. H.B. 5403 seeks to allow the sheriffs in those counties to instead operate as all other sheriffs do by repealing that statutory requirement.

### **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. 5403 repeals Section 351.04155, Local Government Code, which does the following with respect to the application of statutory provisions regarding commissary operation by a sheriff or their designee in a county that has a population of 2.1 million or more, is adjacent to a county with that population, and has two municipalities with a population of 250,000 or more:

- makes the provision establishing that the sheriff or designee has exclusive control of the commissary funds inapplicable to the sheriff of such a county;
- subjects new bids to renew contracts of commissary suppliers to the approval of the county commissioners court;
- requires the sheriff to receive approval from the county commissioners court for a disbursement from the commissary proceeds before making the disbursement;
- requires the sheriff to provide to the county commissioners court each contract the sheriff makes relating to the commissary and to provide the contract within 10 days after the date the contract is made; and
- subjects a purchase made by the sheriff using commissary proceeds to the competitive purchasing procedures under the County Purchasing Act.

### **EFFECTIVE DATE**

September 1, 2025.