

SUBJECT: Reimbursing counties in costs relating to the transfer of persons to TDCJ

COMMITTEE: Corrections — favorable, without amendment

VOTE: 8 ayes — Herrero, Kacal, Allen, V. Jones, R. Lopez, Sherman, Swanson, Toth

0 nays

1 absent — Murr

WITNESSES: For — Adam Haynes, Conference of Urban Counties; Russell Schaffner, Tarrant County Commissioners Court (*Registered, but did not testify*: Kelly Traylor, Cherokee County; Rick Thompson, County Judges and Commissioners Association of Texas; Rebekah Chenelle, Dallas County Commissioners Court; M Paige Williams, Dallas County Criminal District Attorney; Robin Foster, Harris County Deputies' Organization FOP #39; Ray Hunt, Hpou; Cicely Kay, Travis County Commissioners Court; Henry Bohnert)

Against — None

On — (*Registered, but did not testify*: Bobby Lumpkin, Texas Department of Criminal Justice)

DIGEST: HB 2620 would require the Texas Department of Criminal Justice (TDCJ) to review and certify the required documents delivered to TDCJ during the scheduled admission of a new person within three days of receiving the documents. TDCJ would be required to take custody of a person awaiting transfer following a conviction of a felony no later than 45 days after all documents had been reviewed and certified by TDCJ.

If TDCJ had not taken custody of a person within the 45 day period, TDCJ would be required to compensate the county for:

- 125 percent of the cost of confinement for each day the person remained confined in the county jail following the 45 day period;

- the cost of confinement for each day beginning when TDCJ received the required documents and ending on the date TDCJ certified the required 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 TDCJ received the required documents.

By September 30, 2023, the Texas Board of Criminal Procedures would be required to adopt the scheduled admissions policy required by the bill

The compensation to counties would only apply to costs related to the confinement of a person that occurred after October 1, 2023, regardless of whether the requirements for the transfer of the person were completed before, on, or after that date.

This bill would take immediate effect if finally passed by a two-thirds record vote of the membership of each house. Otherwise, it would take effect September 1, 2023.

**SUPPORTERS
SAY:**

HB 2620 would save county taxpayers money by requiring TDCJ to reimburse counties for housing defendants when there are delays in transferring them to TDCJ custody. Counties are responsible for housing defendants after they have been sentenced to state prison. Often there are delays by TDCJ in reviewing and certifying the defendants' documents and transferring defendants, creating a substantial cost to taxpayers and overcrowding some county jails. HB 2620 would create a mechanism for counties to be reimbursed for delays using funds TDCJ has already received for the purpose of housing these defendants, which could save county taxpayer dollars.

**CRITICS
SAY:**

No concerns identified.