BILL ANALYSIS

Senate Research Center

S.B. 1610
By: Whitmire
Criminal Justice
5-26-97
Enrolled

DIGEST

Currently, in an effort to place indigent releasees in their county of conviction, the Parole Division contracts with 16 county jails to temporarily house inmates released on parole or mandatory supervision. While in jail, the releasees participate in the local work release program, thereby earning funds necessary to secure more permanent accommodations in their county of residence. This legislation would permit inmates nearing release to also participate in the county jail's work release program, in an effort to further facilitate the earning of those funds.

PURPOSE

As enrolled, S.B. 1610 provides for the participation by certain inmates of the Texas Department of Criminal Justice, with the approval of the sheriff, in the county jail work release program.

RULEMAKING AUTHORITY

This bill does not grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Chapter 499, Government Code, by adding Subchapter H, as follows:

SUBCHAPTER H. TRANSFER TO COUNTY JAIL WORK RELEASE PROGRAM

Sec. 499.181. INMATES ELIGIBLE FOR TRANSFER. Provides that an inmate is eligible for transfer if the inmate is confined in a facility operated by or under contract with the Texas Department of Criminal Justice (department) and has achieved or is within one year of achieving the inmate's presumptive parole date or mandatory supervision release date. Authorizes the department to transfer an eligible inmate to a county jail for participation in the county jail work release program if the sheriff approves the transfer of the inmate.

SECTION 2. Amends Sections 1(a) and (b), Article 42.031, Code of Criminal Procedure, to authorize the sheriff of each county to attempt to secure employment for each defendant transferred to the county jail work release program from the department under Section 499.181, Government Code. Requires the sheriff to deposit the defendant's salary into a special fund to be given to the defendant on his release after deducting the cost of medical treatment incurred while confined in the jail.

SECTION 3. Amends Section 3(b), Article 42.031, Code of Criminal Procedure, to authorize the sheriff, if the sheriff determines that the defendant is conducting himself in a manner that is dangerous to inmates in the county jail or to society as a whole, to remove the defendant from participation in the program pending a hearing before the sentencing court, unless the defendant was transferred under Section 499.181, Government Code, in which event the sheriff may return the defendant to the custody of the department.

SECTION 4. Effective date: September 1, 1997.

SECTION 5. Emergency clause.