

BILL ANALYSIS

Senate Research Center
76R492 GWK-D

S.B. 53
By: Haywood
Intergovernmental Relations
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As Filed

DIGEST

Currently, an inmate in a county jail is not required to reimburse the county for the cost of the inmate's confinement. Requiring the inmate to reimburse the county may reduce the burden on taxpayers and provide additional deterrence to potential criminals. S.B. 53 authorizes the county to collect from misdemeanants expenses that the county incurred.

PURPOSE

As proposed, S.B. 53 authorizes a county to collect from misdemeanants certain expenses that the county incurred.

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 42, Code of Criminal Procedures, by adding Article 42.038, as follows:

Art. 42.038. REIMBURSEMENT FOR CONFINEMENT EXPENSES. Authorizes a court that sentences a defendant convicted of a misdemeanor to serve a term of confinement in county jail and orders execution of the sentence to require the defendant to reimburse the county \$25 a day or an amount determined by the county commissioners court. Authorizes the court to require as a condition of community supervision that the defendant reimburse the county for the defendant's confinement. Requires the court to consider the defendant's employment status, earning ability, financial resources, and any other special circumstances. Requires the sheriff to bill the defendant for the amount of time the defendant was incarcerated, and, if needed, specify the period of installments.

SECTION 2. Amends Section 2(b), Article 42.22, Code of Criminal Procedure, to provide that the state has a restitution lien to secure the amount of reimbursement for costs of confinement ordered under Article 42.038. Makes confirming changes.

SECTION 3. Makes application of this Act prospective.

SECTION 4. Effective date: September 1, 1999.

SECTION 5. Emergency clause.