

BILL ANALYSIS

S.B. 1888
By: Zaffirini
County Affairs
Committee Report (Amended)

BACKGROUND AND PURPOSE

Interested parties explain that the number of persons incarcerated in Texas for emergency detention as a result of a mental health crisis is unknown because jails are not required to report this information. Noting that such incarceration is unconstitutional and can also be very dangerous because some communities do not have the resources to stabilize these patients, the parties contend that more information is needed to better understand where state resources are needed most to prevent these incarcerations. S.B. 1888 seeks to address this issue.

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

S.B. 1888 amends the Government Code to include among the information required to be contained in each county's monthly jail population report to the Commission on Jail Standards the total number of prisoners who were confined in the county jail during the preceding month who were not charged with a criminal offense and were apprehended by a peace officer for emergency detention without a warrant, for emergency detention with a warrant, or for protective custody with a protective custody order.

EFFECTIVE DATE

September 1, 2015.

EXPLANATION OF AMENDMENTS

Committee Amendment No. 1

Committee Amendment No. 1 establishes that the information used to prepare the portions of a county's monthly jail population report required by the bill is not public information and is not subject to disclosure under state public information law.