

## **BILL ANALYSIS**

Senate Research Center  
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H.B. 2818  
By: Counts (Shapleigh)  
Intergovernmental Relations  
5/9/2001  
Engrossed

### **DIGEST AND PURPOSE**

In 1989, the legislature passed maximum inmate population standards for facilities which municipalities have contracted out to a county or private entity to run. Currently, such a facility must be designed, constructed, operated, and maintained to hold not more than an average daily population of 500 inmates. Privately operated prison facilities are much larger now than when this population requirement was established. The prison population has also increased. H.B. 2818 increases the maximum allowable average daily inmate population for a privately operated prison facility from 500 to 2,000.

### **RULEMAKING AUTHORITY**

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

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Chapter 361.065, Local Government Code, to require a facility authorized by this subchapter to be designed, constructed, operated, and maintained to hold not more than an average daily population of 2,000, rather than 500, inmates. Deletes the provision that the population requirement does not apply to a facility under construction or completed before August 3, 1987.

SECTION 2. Effective date: upon passage or September 1, 2001.