

**BILL ANALYSIS**

Senate Research Center

H.B. 198  
By: Madden (Deuell)  
Criminal Justice  
5/7/2007  
Engrossed

**AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

Under current law, the Texas Board of Criminal Justice may only contract for a total of 4,580 secure correctional facility beds that are operated, maintained, and managed by a private vendor or county. When needs in capacity arise, the board contracts with county jails and private facilities at costs of approximately \$40 and \$30 per day, respectively.

H.B. 198 increases the cap on the average daily inmate population at a contract facility from 1,000 to 1,150 and the total overall cap from 4,580 beds to 5,580 beds. This bill allows the state to make use of available beds in existing private facilities, thereby easing the burden on counties and resulting in savings to the state.

**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 Section 495.001(b), Government Code, to require a correctional facility operated, maintained, and managed under this subchapter (Contracts with Private Vendors and Commissioners Courts) by a private vendor or county to meet certain requirements, including to hold not more than an average daily population of 1,150, rather than 1,000, inmates.

SECTION 2. Amends Section 495.007, Government Code, to prohibit the Texas Board of Criminal Justice from entering into contracts under this subchapter for more than 5,580 beds, rather than 4,580 beds.

SECTION 3. Effective date: upon passage or September 1, 2007.