

## CHAPTER 145

## S.B. No. 175

## AN ACT

relating to the authority of the Commission on Jail Standards to regulate the temporary housing of county inmates in certain facilities to alleviate overcrowding in county jails.

*Be it enacted by the Legislature of the State of Texas:*

SECTION 1. Subchapter A, Chapter 351, Local Government Code, is amended by adding Section 351.0035 to read as follows:

*Sec. 351.0035. TEMPORARY HOUSING. (a) On request of the sheriff and the commissioners court of a county, the Commission on Jail Standards shall authorize a county to house a prisoner in a tent or other facility that is not a county jail.*

*(b) The Commission on Jail Standards shall adopt rules that govern the temporary housing of prisoners, including a specific requirement for:*

*(1) the classification and separation of prisoners;*

*(2) the supervision of prisoners;*

*(3) safety, sanitation, and health;*

*(4) the structure and maintenance of the facility;*

*(5) the provision of bunks or sleeping areas for prisoners or other furnishings for the facility;*

*(6) the space and capacity in the facility; and*

*(7) the enforcement of a rule the commission adopts under this subsection.*

*(c) A rule adopted under Subsection (b) must be consistent with the jail standards imposed by or adopted under other provisions of this subchapter unless the Commission on Jail Standards determines compliance is not practicable or reasonable.*

SECTION 2. Subchapter A, Chapter 351, Local Government Code, is amended by adding Section 351.0036 to read as follows:

*Sec. 351.0036. HOUSING OF CORRECTIONAL PROGRAM PARTICIPANTS. (a) Notwithstanding the requirements of Section 351.0035, the Commission on Jail Standards hereby authorized to adopt rules governing the temporary housing of prisoners in connection with specific correctional programs which include work camps, wilderness camps, forest camps, or boot camps.*

SECTION 3. The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house be suspended, and this rule is hereby suspended, and that this Act take effect and be in force from and after its passage, and it is so enacted.

Passed the Senate on March 17, 1993: Yeas 31, Nays 0; the Senate concurred in House amendment on May 5, 1993: Yeas 30, Nays 0; passed the House, with amendment on April 30, 1993: Yeas 124, Nays 0, one present not voting.

Approved May 15, 1993.

Effective May 15, 1993.