

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 81ST LEGISLATIVE REGULAR SESSION

April 6, 2009

TO: Honorable Garnet Coleman, Chair, House Committee on County Affairs

FROM: John S. O'Brien, Director, Legislative Budget Board

IN RE: HB3654 by Marquez (Relating to certain duties of and reports submitted to the Commission on Jail Standards regarding county jail inmates who are pregnant.), **As Introduced**

No significant fiscal implication to the State is anticipated.

The bill would amend Government Code, Section 511.009(a) to require the Texas Commission on Jail Standards to establish specific minimum standards for the provision of medical, mental health, and dietary services to and the housing and work assignment needs of persons who are pregnant and confined in a county jail.

The bill would also amend Government Code, Section 511.0101(a) to require counties to submit to the Texas Commission on Jail Standards monthly the number of offenders confined in the county jail who are known to be pregnant.

Local Government Impact

The Texas Commission on Jail Standards reports the bill could result in great costs to local governments. Existing standards, based on current case law, mandate the level of care to be adequate for all inmates. The bill may require counties to go beyond the “adequate” standard of care for a specific group of individuals. All facilities are mandated to submit to the commission for approval a Health Services Plan, which requires that all doctor’s orders are to be followed, including those addressing the medical, mental and dietary needs of pregnant inmates incarcerated in Texas county jails.

Source Agencies: 409 Commission on Jail Standards

LBB Staff: JOB, DB, GG, MC, ESi