

By: Howard

H.B. No. 1796

A BILL TO BE ENTITLED

AN ACT

relating to family violence center services for victims of family violence.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 51.002, Human Resources Code, is amended by amending Subdivisions (1), (2), and (9) and adding Subdivisions (1-a), (1-b), and (1-c) to read as follows:

(1) "Culturally relevant" in regard to a service or practice means that the service is provided or practice is engaged in a manner that is inclusive of an individual's identity and linguistic and cultural background.

(1-a) "Dating relationship" has the meaning assigned by Section 71.0021(b), Family Code.

(1-b) "Dating violence" means an act, other than a defensive measure to protect oneself, by an individual against another individual with whom the actor has or has had a dating relationship and that is:

(A) intended to result in physical harm, bodily injury, assault, or sexual assault;

(B) a threat that reasonably places an individual in fear of imminent physical harm, bodily injury, assault, or sexual assault; or

(C) intended to inflict emotional harm, including an act of emotional abuse.

1 (1-c) "Family" has the meaning assigned by Section
2 71.003, Family Code.

3 (2) "Family violence" means:

4 (A) an act by a member of a family or household
5 against another member of the family or household that:

6 (i) [~~(A)~~] is intended to result in physical
7 harm, bodily injury, assault, or sexual assault or that is a threat
8 that reasonably places the member in fear of imminent physical
9 harm, bodily injury, assault, or sexual assault, but does not
10 include defensive measures to protect oneself; or

11 (ii) [~~(B)~~] is intended to inflict emotional
12 harm, including an act of emotional abuse; or

13 (B) dating violence.

14 (9) "Victim of family violence" means:

15 (A) an adult member of a family or household who
16 is subjected to an act of family violence; [~~or~~]

17 (B) a member of the household of the adult
18 described by Paragraph (A), other than the member of the household
19 who commits the act of family violence, including an act of
20 emotional abuse; or

21 (C) an individual who is subjected to an act of
22 dating violence.

23 SECTION 2. Sections 51.004(a) and (b), Human Resources
24 Code, are amended to read as follows:

25 (a) To be eligible for a contract under Section 51.003(a), a
26 family violence shelter center must:

27 (1) provide temporary lodging and direct delivery of

1 services for adults and their dependents;

2 (2) have been in actual operation offering shelter
3 services 24 hours a day with a capacity for not less than five
4 persons for at least one year before the date on which the contract
5 is awarded;

6 (3) demonstrate that the center, through the services
7 it provides, is addressing a need in the community consistent with
8 the plan for family violence services under Section 51.0021; ~~and~~

9 (4) demonstrate that the center is using a culturally
10 relevant and trauma-informed advocacy service model; and

11 (5) submit a contract application on forms prescribed
12 by the commission.

13 (b) To be eligible for a contract under Section 51.003(a), a
14 family violence nonresidential center must:

15 (1) provide, as its primary purpose, direct delivery
16 of services to adult victims of family violence;

17 (2) demonstrate a system of referring victims of
18 family violence to at least one family violence shelter center or
19 other safe temporary lodging;

20 (3) have been operating and providing comprehensive
21 services, including the services described by Section
22 51.005(b)(3), to victims of family violence for at least one year
23 before the date on which the contract is awarded;

24 (4) demonstrate that the center, through the services
25 it provides, is addressing a need in the community consistent with
26 the plan for family violence services under Section 51.0021; ~~and~~

27 (5) demonstrate that the center is using a culturally

1 relevant and trauma-informed advocacy service model; and

2 (6) submit a contract application on forms prescribed
3 by the commission.

4 SECTION 3. Section 51.005, Human Resources Code, is amended
5 by amending Subsection (b) and adding Subsection (b-1) to read as
6 follows:

7 (b) The contracts shall require the persons operating a
8 family violence center to:

9 (1) make a quarterly and an annual financial report on
10 a form prescribed by the commission;

11 (2) cooperate with inspections the commission makes to
12 ensure services standards and fiscal responsibility; and

13 (3) provide, as its primary purpose, culturally
14 relevant and trauma-informed services to victims of family violence
15 that include:

16 (A) 24-hour-a-day shelter, except that a family
17 violence nonresidential center may provide access to a
18 24-hour-a-day shelter;

19 (B) a 24-hour-a-day crisis hotline, except that a
20 family violence nonresidential center may provide access to a
21 24-hour-a-day crisis hotline operated by another organization
22 located in the nonresidential center's service area;

23 (C) ~~[access to emergency medical care,~~

24 ~~[(D)]~~ intervention services, including ~~[safety~~
25 ~~planning]~~ understanding and support, information, education,
26 referrals, advocacy, and other resource assistance for:

27 (i) economic and housing stability;

1 (ii) obtaining treatment for physical,
2 behavioral, and mental health;

3 (iii) the needs of children who are victims
4 and the children of victims; and

5 (iv) participating in the civil and
6 criminal justice systems;

7 (D) safety planning services in collaboration
8 with the self-stated priorities and needs of the victim of family
9 violence;

10 (E) community education regarding family
11 violence and family violence prevention efforts [~~access to~~
12 ~~emergency transportation~~];

13 (F) counseling services [~~legal assistance in the~~
14 ~~civil and criminal justice systems, including:~~

15 [~~(i) identifying individual needs, legal~~
16 ~~rights, and legal options~~]; and

17 [~~(ii) providing support and accompaniment~~
18 ~~in pursuing those options,~~]

19 (G) peer support services that facilitate
20 connections between victims to create community [~~information about~~
21 ~~educational arrangements for children,~~

22 [~~(H) information about training for and seeking~~
23 ~~employment,~~

24 [~~(I) cooperation with criminal justice~~
25 ~~officials,~~

26 [~~(J) community education,~~

27 [~~(K) a referral system to existing community~~

1 ~~services; and~~

2 ~~[(L) a volunteer recruitment and training~~
3 ~~program].~~

4 (b-1) The contracts shall prohibit the persons operating a
5 family violence center from requiring a victim of family violence
6 to participate in other services as a condition of receiving
7 shelter.

8 SECTION 4. The changes in law made by this Act apply only to
9 a contract entered into on or after the effective date of this Act.
10 A contract entered into before the effective date of this Act is
11 governed by the law in effect on the date the contract was entered
12 into, and the former law is continued in effect for that purpose.

13 SECTION 5. This Act takes effect September 1, 2023.