

BILL ANALYSIS

C.S.S.B. 591
By: Duncan
Corrections
Committee Report (Substituted)

BACKGROUND AND PURPOSE

As a result of an interim study required by SB 553, 77th Legislature, a recommendation was made to revise the composition of the Texas Council on Offenders with Mental Impairments' (TCOMI) board to include forensic psychiatrists and psychologists as members. This revision is necessary in order to have qualified forensic experts available to review competency evaluations. CSSB 591 revises the TCOMI membership to include forensic specialists and amends the process for identification and selection of gubernatorial appointees. The bill also revises the name of TCOMI to the "Texas Correctional Office on Offenders with Medical or Mental Impairments" to more accurately reflect the mission and purpose of the entity.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

CSSB 591 amends Chapter 614 of the Health and Safety Code to revise the name of the council to the Texas Correctional Office for Offenders with Medical or Mental Impairments. The bill clarifies the role of the advisory committee to the Texas Board of Criminal Justice and clarifies the Texas Department of Criminal Justice (TDCJ) Executive Director's oversight of the Director of the Advisory Committee. The bill also revises the composition of the at-large membership and the process for identifying candidates to be submitted to the Governor for consideration.

CSSB 591 also defines offenders with special needs and amends references to offenders with mental impairments to offenders with special needs. This revision more clearly reflects the categories of offenders that fall under the purview of the Texas Correctional Office on Offenders with Medical or Mental Impairments.

This change in law should expedite the appointment process for at-large members; clarify the role of the advisory members to the Texas Department of Criminal Justice and the Director; provide clear administrative line of authority; and clarify the type of offenders that fall under the jurisdiction of the Committee.

EFFECTIVE DATE

September 1, 2003

COMPARISON OF ORIGINAL TO SUBSTITUTE

The substitute modifies the original by changing the name of TCOMI to the Texas Correctional Office on Offenders with Medical and Mental Impairments, amending the selection process for at-large members, and more clearly defining the advisory nature to the Texas Board of Criminal Justice and the Executive Director of TDCJ.

The substitute further modifies the original by making non-substantive changes to more accurately reflect the type of offenders under the purview of the Texas Correctional Office on Offenders with Medical and Mental Impairments.