

BILL ANALYSIS

H.B. 898
By: McClendon
Corrections
Committee Report (Unamended)

BACKGROUND AND PURPOSE

The Sunset Advisory Commission recommended establishing a Criminal Justice Legislative Oversight Committee in Recommendation 2.1 of its 2006 report on the Texas Department of Criminal Justice, Board of Pardons and Paroles and Correctional Managed Health Care Committee.

Currently no entity exists to provide comprehensive and ongoing analysis of the criminal justice system to determine its effectiveness and help plan for its future. Without it, lawmakers have less information to guide state policy on issues such as growing prison capacity concerns or the effectiveness of rehabilitation programs for inmates, probationers and parolees.

HB 898 establishes the Criminal Justice Legislative Oversight Committee in order to provide objective research, analysis and recommendations to guide state criminal justice policies.

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

The Bill amends the Government Code Subtitle C, Title 3, by adding oversight committees to the subtitle heading and adding Chapter 328, Criminal Justice Legislative Oversight Committee.

Sec. 328.001 defines "committee" as the Criminal Justice Legislative Oversight Committee for the purposes of this chapter.

Sec. 328.002 (a) provides that the committee is established to provide objective research, analysis, and recommendations to help guide state criminal justice policies.

Sec. 328.002 (b) establishes the six (6) member composition of the committee as follows:

1. The chair of the Senate Committee on Criminal Justice.
2. The chair of the House Committee on Corrections.
3. Two (2) members of the Senate appointed by the Lieutenant Governor.
4. Two (2) members of the House of Representatives appointed by the Speaker of the House of Representatives.

Sec. 328.002 (c) provides that in making appointments under Subsection (b) (3) or (4), the Lieutenant Governor or the Speaker of the House of Representatives, as applicable, shall give first consideration to the Senate or the House members who serve on the Senate Finance or House Appropriations Committees.

Sec. 328.002 (d) provides that appointed members serve at the pleasure of the appointing official.

Sec. 328.003 (a) provides that the Lieutenant Governor and Speaker of the House shall alternate in appointing a presiding officer of the committee

Sec. 328.003 (b) defines the term of the presiding officer as two (2) years, expiring on February 1 of each odd-numbered year.

Sec. 328.004 (a) establishes the powers and duties of the committee. The committee shall:

H.B. 898 80(R)

1. Use statistical analyses and other research methods to conduct an in-depth examination of the criminal justice system in this state that includes:
 - (A) an assessment of the cost-effectiveness of the use of state and local funds in the criminal justice system;
 - (B) an identification of critical problems in the criminal justice system; and
 - (C) a determination of the long-range needs of the criminal justice system.
2. Recommend to the legislature strategies to solve the problems identified under Subdivision (1)(B) and policy priorities to address the long-range needs determined under Subdivision (1)(B).
3. Advise and assist the legislature in developing plans, programs, and proposed legislation to improve the effectiveness of the criminal justice system.

Sec. 328.004 (b) provides that the committee has all other powers and duties provided to a special committee by Subchapter B, Chapter 301, the rules of the Senate and House of Representatives and the policies of the Senate and House committees on administration.

Sec. 328.005 provides the committee shall meet at the call of the presiding officer.

Sec. 328.006 provides that the committee may hire support staff or may contract with universities or other suitable entities to assist the committee in carrying out the committee's duties.

Sec. 328.007 provides that the committee shall submit to the legislature a report that contains the recommendations described by Section 328.004 (a) (2) not later than January 1 of each odd-numbered year.

Additionally, this bill provides that the Speaker of the House of Representatives and the Lieutenant Governor shall appoint members to the committee no later than January 1, 2008. Notwithstanding Sec. 328.003, Government Code, as added by this Act, the Speaker of the House of Representatives shall appoint a presiding officer for the committee no later than January 15, 2008. The presiding officer appointed by the Speaker serves a one-year term from February 1, 2008, until February 1, 2009.

EFFECTIVE DATE

September 1, 2007.