

## **BILL ANALYSIS**

S.B. 496  
By: Duncan  
Judiciary  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

Current law restricts the use of the judicial and court training fund to the training of judges and attorneys. S.B. 496 allows Fund 540, the judicial and court training fund, to be used to train attorneys, judges, law enforcement officers, law students, and other participants in cases of indigent representation. This bill clarifies that the fund may be used to train law students.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that rulemaking authority is expressly granted to the Court of Criminal Appeals in SECTION 3 of this bill.

### **ANALYSIS**

SECTION 1. Amends Section 56.003, Government Code, by amending Subsection (a) and adding Subsection (g), as follows:

(a) Prohibits the court of criminal appeals from using more than three percent of appropriated money in any one fiscal year to hire staff and properly administer this chapter (Judicial and Court Personnel Training Fund) unless additional money is specifically appropriated or provided for the purposes of this subsection by the legislature.

(g) Requires the court of criminal appeals to grant legal funds to statewide professional associations and other entities providing innocence training programs relating to defendant's claim of factual innocence following a conviction to law enforcement officers, law students, and other participants.

SECTION 2. Amends Section 56.004(b), Government Code, to make a conforming change.

SECTION 3. Amends Sections 56.006, Government Code, to authorize the court of criminal appeals to adopt rules for programs relating to education and training for law enforcement officers, law students, and other participants.

### **EFFECTIVE DATE**

September 1, 2007.