

1-1 By: Duncan S.B. No. 496
1-2 (In the Senate - Filed February 7, 2007; February 21, 2007,
1-3 read first time and referred to Committee on Jurisprudence;
1-4 March 12, 2007, reported adversely, with favorable Committee
1-5 Substitute by the following vote: Yeas 5, Nays 0; March 12, 2007,
1-6 sent to printer.)

1-7 COMMITTEE SUBSTITUTE FOR S.B. No. 496 By: Wentworth

1-8 A BILL TO BE ENTITLED
1-9 AN ACT

1-10 relating to the use of the judicial and court personnel training
1-11 fund.

1-12 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-13 SECTION 1. Section 56.003, Government Code, is amended by
1-14 amending Subsection (a) and adding Subsection (g) to read as
1-15 follows:

1-16 (a) Unless the legislature specifically appropriates or
1-17 provides additional money for purposes of this subsection, the
1-18 [The] court of criminal appeals may not use more than three percent
1-19 of the money appropriated in any one fiscal year to hire staff and
1-20 provide for the proper administration of this chapter.

1-21 (g) The court of criminal appeals shall grant legal funds to
1-22 statewide professional associations and other entities that
1-23 provide innocence training programs related to defendants' claims
1-24 of factual innocence following conviction to law enforcement
1-25 officers, law students, and other participants.

1-26 SECTION 2. Subsection (b), Section 56.004, Government Code,
1-27 is amended to read as follows:

1-28 (b) The legislature shall appropriate funds from the
1-29 judicial and court personnel training fund to the court of criminal
1-30 appeals to provide for:

1-31 (1) continuing legal education, technical assistance,
1-32 and other support programs for prosecuting attorneys and their
1-33 personnel, criminal defense attorneys who regularly represent
1-34 indigent defendants in criminal matters, and justices of the peace
1-35 and their court personnel; and

1-36 (2) innocence training programs for law enforcement
1-37 officers, law students, and other participants.

1-38 SECTION 3. Section 56.006, Government Code, is amended to
1-39 read as follows:

1-40 Sec. 56.006. RULES; OVERSIGHT. (a) The court of criminal
1-41 appeals may adopt rules for programs relating to education and
1-42 training for attorneys, judges, justices of the peace, district
1-43 clerks, county clerks, law enforcement officers, law students,
1-44 other participants, and court personnel, including court
1-45 coordinators, as provided by Section 56.003 and for the
1-46 administration of those programs, including rules that:

1-47 (1) require entities receiving a grant of funds to
1-48 provide legislatively required training; and

1-49 (2) base the awarding of grant funds to an entity on
1-50 qualitative information about the entity's programs or services and
1-51 the entity's ability to meet financial performance standards.

1-52 (b) The court of criminal appeals, for the proper
1-53 administration of this chapter and as part of its oversight of
1-54 training programs for attorneys, judges, justices of the peace,
1-55 district clerks, county clerks, law enforcement officers, law
1-56 students, other participants, and court personnel, including court
1-57 coordinators, as provided by Section 56.003, shall monitor both the
1-58 financial performance and the program performance of entities
1-59 receiving a grant of funds under this chapter.

1-60 SECTION 4. This Act takes effect September 1, 2007.

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