

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE, 80TH LEGISLATIVE REGULAR SESSION

March 19, 2007

TO: Honorable Harold V. Dutton, Jr., Chair, House Committee on Juvenile Justice & Family Issues

FROM: John S. O'Brien, Director, Legislative Budget Board

IN RE: HB197 by Gonzalez Toureilles (Relating to the provisions of intervention or counseling services to certain persons who have committed family violence and to a process for accrediting those services.), **Committee Report 1st House, Substituted**

No significant fiscal implication to the State is anticipated.

The bill would amend the Code of Criminal Procedure by adding an accredited battering intervention and prevention program as a referral option that the community supervision and corrections may require a defendant convicted of a family violence offense to attend beginning September 1, 2008. If an accredited battering intervention and prevention program is not available, the defendant may be directed to attend counseling sessions by a professional who has completed family violence intervention training consisting of an initial 40 hours and an annual 12 hours of continuing education that is approved by the Community Justice Assistance Division (CJAD) of the Texas Department of Criminal Justice (TDCJ). Beginning September 1, 2009, a referral option for the courts providing a battering intervention and prevention program must be accredited and conform to the guidelines under Section 4A, Article 42.141. The bill amends the Code of Criminal Procedure by further defining battering intervention and prevention program operated by a nonprofit organization and program eligibility requirements. CJAD and a nonprofit organization shall work together in developing program and accreditation guidelines for battering intervention and prevention programs. CJAD shall collect from each program or provider that applies for accreditation a one-time application fee set by TDCJ. The bill would amend the Family Code by adding that the court may order a person to complete battering intervention and prevention program accredited under Article 42.141, Code of Criminal Procedure, beginning September 1, 2008 or if an accredited battering intervention and prevention program is not available, the defendant may be directed to attend counseling sessions by a professional who has completed family violence intervention training consisting of an initial 40 hours and an annual 12 hours of continuing education that is approved by CJAD. The Texas Department of Criminal Justice has determined that the cost of implementing the bill would not be significant.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies: 696 Department of Criminal Justice

LBB Staff: JOB, MN, GG, SDO, KJG