

By: West

S.B. No. 1374

A BILL TO BE ENTITLED

AN ACT

relating to community-based programs for juveniles in certain counties.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Subsection (a), Section 141.024, Human Resources Code, is amended to read as follows:

(a) The commission shall report annually to the governor and the legislature on the commission's operations and the condition of probation services in the state during the previous year. The report:

(1) may include recommendations; and

(2) must include:

(A) an evaluation of the effectiveness of the community-based programs operated under Section 54.0401, Family Code, and the community corrections pilot programs implemented under Section 141.087; and

(B) information comparing the cost of a child participating in a program described by Paragraph (A) with the cost of committing the child to the Texas Youth Commission.

SECTION 2. Subchapter E, Chapter 141, Human Resources Code, is amended by adding Section 141.087 to read as follows:

Sec. 141.087. COMMUNITY CORRECTIONS PILOT PROGRAM IN CERTAIN COUNTIES. (a) This section applies only to a county that has a population of at least 335,000.

1       (b) The commission and the Texas Youth Commission shall  
2 establish guidelines for the implementation of community  
3 corrections pilot programs to provide an array of rehabilitation  
4 services for juvenile offenders, including juvenile delinquency  
5 prevention services and substance abuse and mental health treatment  
6 services. Instead of ordering commitment to the Texas Youth  
7 Commission under Section 54.04(d)(2), Family Code, a juvenile court  
8 of a county to which this section applies may require a child to  
9 participate in a community corrections pilot program if the child  
10 was found to have engaged in delinquent conduct that violates a  
11 penal law of the grade of felony under Title 7, Penal Code, or  
12 Chapter 481, Health and Safety Code.

13       (c) A juvenile board in a county to which this section  
14 applies may apply to the commission for a grant to implement a  
15 community corrections pilot program in the county.

16       (d) The commission, in cooperation with the Texas Youth  
17 Commission, shall adopt rules that govern:

18               (1) the administration and operation of a community  
19 corrections pilot program by a juvenile board; and

20               (2) the process by which a juvenile board may apply to  
21 the commission for a grant to implement a community corrections  
22 pilot program.

23       (e) A juvenile board that receives a grant under this  
24 section receives the grant in addition to any state aid that is  
25 otherwise allocated to the county served by the juvenile board for  
26 the provision of juvenile probation services.

27       (f) A juvenile board that receives a grant under this

1 section shall annually, and at the request of the director, report  
2 to the commission concerning the implementation,  
3 cost-effectiveness, and success rate of a community corrections  
4 pilot program implemented under this section.

5 (g) The commission shall, not later than January 1 of each  
6 odd-numbered year, submit a report concerning the implementation,  
7 cost-effectiveness, and success rates of community corrections  
8 pilot programs implemented by juvenile boards under this section  
9 to:

- 10 (1) the governor;  
11 (2) the lieutenant governor;  
12 (3) the speaker of the house of representatives; and  
13 (4) the standing committee in the senate and the house  
14 of representatives that has primary jurisdiction over the  
15 commission.

16 (h) The report submitted under Subsection (g) must contain  
17 recommendations as to whether any of the community corrections  
18 pilot programs implemented by juvenile boards under this section  
19 should be implemented on a statewide basis.

20 SECTION 3. (a) The Texas Juvenile Probation Commission  
21 shall adopt rules governing the administration and operation of  
22 community corrections pilot programs under Section 141.087, Human  
23 Resources Code, as added by this Act, including rules governing the  
24 process by which a juvenile board may apply to the Texas Juvenile  
25 Probation Commission for a grant, not later than January 1, 2010.

26 (b) The change in law made by Section 141.087, Human  
27 Resources Code, as added by this Act, applies only to conduct that

1 occurs on or after the effective date of this Act. Conduct that  
2 occurs before the effective date of this Act is covered by the law  
3 in effect when the conduct occurred, and the former law is continued  
4 in effect for that purpose. For purposes of this subsection,  
5 conduct violating a penal law of this state occurred before the  
6 effective date of this Act if any element of the violation occurred  
7 before that date.

8 SECTION 4. This Act takes effect September 1, 2009.