

1-1 By: West S.B. No. 1374  
1-2 (In the Senate - Filed March 4, 2009; March 17, 2009, read  
1-3 first time and referred to Committee on Criminal Justice;  
1-4 April 17, 2009, reported adversely, with favorable Committee  
1-5 Substitute by the following vote: Yeas 5, Nays 0; April 17, 2009,  
1-6 sent to printer.)

1-7 COMMITTEE SUBSTITUTE FOR S.B. No. 1374 By: Ellis

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

1-10 relating to community-based programs for juveniles in certain  
1-11 counties.

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

1-13 SECTION 1. Subsection (a), Section 141.024, Human Resources  
1-14 Code, is amended to read as follows:

1-15 (a) The commission shall report annually to the governor and  
1-16 the legislature on the commission's operations and the condition of  
1-17 probation services in the state during the previous year. The  
1-18 report:

1-19 (1) may include recommendations; and

1-20 (2) must include:

1-21 (A) an evaluation of the effectiveness of the  
1-22 community-based programs operated under Section 54.0401, Family  
1-23 Code, and the community corrections pilot programs implemented  
1-24 under Section 141.087; and

1-25 (B) information comparing the cost of a child  
1-26 participating in a program described by Paragraph (A) with the cost  
1-27 of committing the child to the Texas Youth Commission.

1-28 SECTION 2. Subchapter E, Chapter 141, Human Resources Code,  
1-29 is amended by adding Section 141.087 to read as follows:

1-30 Sec. 141.087. COMMUNITY CORRECTIONS PILOT PROGRAM IN  
1-31 CERTAIN COUNTIES. (a) This section applies only to a county that  
1-32 has a population of at least 335,000.

1-33 (b) The commission and the Texas Youth Commission shall  
1-34 establish guidelines for the implementation of community  
1-35 corrections pilot programs to provide an array of rehabilitation  
1-36 services for juvenile offenders, including juvenile delinquency  
1-37 prevention services and substance abuse and mental health treatment  
1-38 services. Instead of ordering commitment to the Texas Youth  
1-39 Commission under Section 54.04(d)(2), Family Code, a juvenile court  
1-40 of a county to which this section applies may require a child to  
1-41 participate in a community corrections pilot program if the child  
1-42 was found to have engaged in delinquent conduct that violates a  
1-43 penal law of the grade of felony under Title 7, Penal Code, or  
1-44 Chapter 481, Health and Safety Code.

1-45 (c) A juvenile board in a county to which this section  
1-46 applies may apply to the commission for a grant to implement a  
1-47 community corrections pilot program in the county.

1-48 (d) The commission, in cooperation with the Texas Youth  
1-49 Commission, shall adopt rules that govern:

1-50 (1) the administration and operation of a community  
1-51 corrections pilot program by a juvenile board; and

1-52 (2) the process by which a juvenile board may apply to  
1-53 the commission for a grant to implement a community corrections  
1-54 pilot program.

1-55 (e) A juvenile board that receives a grant under this  
1-56 section receives the grant in addition to any state aid that is  
1-57 otherwise allocated to the county served by the juvenile board for  
1-58 the provision of juvenile probation services.

1-59 (f) A juvenile board that receives a grant under this  
1-60 section shall annually, and at the request of the director, report  
1-61 to the commission concerning the implementation,  
1-62 cost-effectiveness, and success rate of a community corrections  
1-63 pilot program implemented under this section.

2-1 (g) The commission shall, not later than January 1 of each  
2-2 odd-numbered year, submit a report concerning the implementation,  
2-3 cost-effectiveness, and success rates of community corrections  
2-4 pilot programs implemented by juvenile boards under this section  
2-5 to:

- 2-6 (1) the governor;
- 2-7 (2) the lieutenant governor;
- 2-8 (3) the speaker of the house of representatives; and
- 2-9 (4) the standing committee in the senate and the house  
2-10 of representatives that has primary jurisdiction over the  
2-11 commission.

2-12 (h) The report submitted under Subsection (g) must contain  
2-13 recommendations as to whether any of the community corrections  
2-14 pilot programs implemented by juvenile boards under this section  
2-15 should be implemented on a statewide basis.

2-16 SECTION 3. (a) The Texas Juvenile Probation Commission  
2-17 shall adopt rules governing the administration and operation of  
2-18 community corrections pilot programs under Section 141.087, Human  
2-19 Resources Code, as added by this Act, including rules governing the  
2-20 process by which a juvenile board may apply to the Texas Juvenile  
2-21 Probation Commission for a grant, not later than January 1, 2010.

2-22 (b) The change in law made by Section 141.087, Human  
2-23 Resources Code, as added by this Act, applies only to conduct that  
2-24 occurs on or after the effective date of this Act. Conduct that  
2-25 occurs before the effective date of this Act is covered by the law  
2-26 in effect when the conduct occurred, and the former law is continued  
2-27 in effect for that purpose. For purposes of this subsection,  
2-28 conduct violating a penal law of this state occurred before the  
2-29 effective date of this Act if any element of the violation occurred  
2-30 before that date.

2-31 SECTION 4. This Act takes effect September 1, 2009.

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