

## **BILL ANALYSIS**

H.B. 1771  
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Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

Approximately 10 years ago, the legislature appropriated funds to support existing drug courts and to expand the number of drug courts in Texas. The level of funding for this purpose was enhanced after several years when fees assessed on certain offenses were designated for drug court grants issued by the governor's criminal justice division. The number of drug courts operating in Texas and registered with the criminal justice division has grown from under 10 to more than 100 since the program was first funded, as the courts have expanded from serving adults to include juvenile, family, and veteran's projects. The criminal justice division began using other state and federal grant funds to support the expansion of the courts, and the program, originally funded at less than \$1 million, has grown into a program that has awarded over 60 grants totaling nearly \$8.6 million for this fiscal year.

The purpose of H.B. 1771 is to establish the Specialty Courts Advisory Council in the governor's criminal justice division to assist with the review and prioritization of grant applications from specialty courts. The proposed reductions in state grant funds and potential reductions in federal grant funds make it essential that funds be distributed in a manner to maintain support in all areas of Texas.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

### **ANALYSIS**

H.B. 1771 amends the Government Code to require the governor to establish the Specialty Courts Advisory Council within the governor's criminal justice division to evaluate applications for grant funding for specialty courts in this state and to make funding recommendations to the criminal justice division. The bill establishes that the council is composed of seven members appointed by the governor as follows: three members with experience as judges of a specialty court and four public members. The bill requires the four public members to reside in various geographic regions of the state and to have experience practicing law in a specialty court or possess knowledge and expertise in a field relating to behavioral or mental health issues or to substance abuse treatment. The bill specifies that members are appointed for staggered six-year terms, of which the terms of either two or three members, as applicable, expire February 1 of each odd-numbered year.

H.B. 1771 prohibits a person from being a member of the council if the person is required to register as a lobbyist because of the person's activities for compensation on behalf of a profession related to the operation of the council. The bill requires the governor, if a vacancy occurs on the council, to appoint a person to serve for the remainder of the unexpired term. The bill requires the council to select a presiding officer and to meet at the call of its presiding officer or at the request of the governor. The bill requires the governor, not later than February 1, 2012, to appoint two members to terms expiring February 1, 2013, two members to terms expiring

February 1, 2015, and three members to terms expiring February 1, 2017. The bill defines "council" and "specialty court."

**EFFECTIVE DATE**

On passage, or, if the bill does not receive the necessary vote, September 1, 2011.