

1-1 By: Madden (Senate Sponsor - Harris) H.B. No. 1771
1-2 (In the Senate - Received from the House April 27, 2011;
1-3 May 3, 2011, read first time and referred to Committee on
1-4 Jurisprudence; May 18, 2011, reported favorably by the following
1-5 vote: Yeas 5, Nays 0; May 18, 2011, sent to printer.)

1-6 A BILL TO BE ENTITLED
1-7 AN ACT

1-8 relating to the establishment of the Specialty Courts Advisory
1-9 Council.

1-10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-11 SECTION 1. Chapter 772, Government Code, is amended by
1-12 adding Section 772.0061 to read as follows:

1-13 Sec. 772.0061. SPECIALTY COURTS ADVISORY COUNCIL. (a) In
1-14 this section:

1-15 (1) "Council" means the Specialty Courts Advisory
1-16 Council.

1-17 (2) "Specialty court" means:

1-18 (A) a drug court program established under
1-19 Chapter 469, Health and Safety Code;

1-20 (B) a mental health court program established
1-21 under Chapter 616, Health and Safety Code; and

1-22 (C) a veterans court program established under
1-23 Chapter 617, Health and Safety Code.

1-24 (b) The governor shall establish the Specialty Courts
1-25 Advisory Council within the criminal justice division established
1-26 under Section 772.006 to evaluate applications for grant funding
1-27 for specialty courts in this state and to make funding
1-28 recommendations to the criminal justice division.

1-29 (c) The council is composed of seven members appointed by
1-30 the governor as follows:

1-31 (1) three members with experience as judges of a
1-32 specialty court; and

1-33 (2) four members who represent the public.

1-34 (d) The members appointed under Subsection (c)(2) must:

1-35 (1) reside in various geographic regions of the state;
1-36 and

1-37 (2) have experience practicing law in a specialty
1-38 court or possess knowledge and expertise in a field relating to
1-39 behavioral or mental health issues or to substance abuse treatment.

1-40 (e) Members are appointed for staggered six-year terms. The
1-41 terms of either two or three members, as applicable, expire
1-42 February 1 of each odd-numbered year.

1-43 (f) A person may not be a member of the council if the person
1-44 is required to register as a lobbyist under Chapter 305 because of
1-45 the person's activities for compensation on behalf of a profession
1-46 related to the operation of the council.

1-47 (g) If a vacancy occurs on the council, the governor shall
1-48 appoint a person to serve for the remainder of the unexpired term.

1-49 (h) The council shall select a presiding officer.

1-50 (i) The council shall meet at the call of its presiding
1-51 officer or at the request of the governor.

1-52 SECTION 2. Not later than February 1, 2012, the governor
1-53 shall appoint the members of the Specialty Courts Advisory Council
1-54 created by Section 772.0061, Government Code, as added by this Act.
1-55 The governor shall appoint two members to terms expiring February
1-56 1, 2013, two members to terms expiring February 1, 2015, and three
1-57 members to terms expiring February 1, 2017.

1-58 SECTION 3. This Act takes effect immediately if it receives
1-59 a vote of two-thirds of all the members elected to each house, as
1-60 provided by Section 39, Article III, Texas Constitution. If this
1-61 Act does not receive the vote necessary for immediate effect, this
1-62 Act takes effect September 1, 2011.

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