

1-1 By: West S.B. No. 1419
 1-2 (In the Senate - Filed March 7, 2013; March 18, 2013, read
 1-3 first time and referred to Committee on Jurisprudence;
 1-4 April 16, 2013, reported adversely, with favorable Committee
 1-5 Substitute by the following vote: Yeas 4, Nays 0; April 16, 2013,
 1-6 sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8 West	X			
1-9 Rodriguez			X	
1-10 Campbell	X			
1-11 Carona			X	
1-12 Garcia	X			
1-13 Hancock			X	
1-14 Paxton	X			

1-16 COMMITTEE SUBSTITUTE FOR S.B. No. 1419 By: West

1-17 A BILL TO BE ENTITLED
 1-18 AN ACT

1-19 relating to funding for juvenile case managers through certain
 1-20 court costs and to the establishment of the truancy prevention and
 1-21 diversion fund.

1-22 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-23 SECTION 1. Subsections (a) and (c), Article 45.056, Code of
 1-24 Criminal Procedure, are amended to read as follows:

1-25 (a) On approval of the commissioners court, city council,
 1-26 school district board of trustees, juvenile board, or other
 1-27 appropriate authority, a county court, justice court, municipal
 1-28 court, school district, juvenile probation department, or other
 1-29 appropriate governmental entity may:

1-30 (1) employ a case manager to provide services in cases
 1-31 involving juvenile offenders who are before a court consistent with
 1-32 the court's statutory powers or referred to a court by a school
 1-33 administrator or designee for misconduct that would otherwise be
 1-34 within the court's statutory powers prior to a case being filed,
 1-35 with the consent of the juvenile and the juvenile's parents or
 1-36 guardians; or

1-37 (2) agree in accordance with Chapter 791, Government
 1-38 Code, to jointly employ a case manager.

1-39 (c) A county or justice court on approval of the
 1-40 commissioners court or a municipality or municipal court on
 1-41 approval of the city council may employ one or more juvenile case
 1-42 managers who:

1-43 (1) shall [to] assist the court in administering the
 1-44 court's juvenile docket and in supervising its court orders in
 1-45 juvenile cases; and

1-46 (2) may provide:

1-47 (A) prevention services to a child considered at
 1-48 risk of entering the juvenile justice system; and

1-49 (B) intervention services to juveniles engaged
 1-50 in misconduct prior to cases being filed, excluding traffic
 1-51 offenses.

1-52 SECTION 2. Subchapter A, Chapter 102, Code of Criminal
 1-53 Procedure, is amended by adding Article 102.015 to read as follows:

1-54 Art. 102.015. COURT COSTS: TRUANCY PREVENTION AND
 1-55 DIVERSION FUND. (a) The truancy prevention and diversion fund is
 1-56 a dedicated account in the general revenue fund.

1-57 (b) A person convicted in municipal or justice court of an
 1-58 offense, other than an offense relating to a pedestrian or the
 1-59 parking of a motor vehicle, shall pay as a court cost \$2 in addition
 1-60 to other court costs.

2-1 (c) For purposes of this article, a person is considered to
2-2 have been convicted if:
2-3 (1) a sentence is imposed; or
2-4 (2) the defendant receives deferred disposition in the
2-5 case.

2-6 (d) Court costs under this article are collected in the same
2-7 manner as other fines or costs. An officer collecting the costs
2-8 shall keep separate records of the funds collected as costs under
2-9 this article and shall deposit the funds in the county treasury or
2-10 municipal treasury, as applicable.

2-11 (e) The custodian of a county treasury or municipal
2-12 treasury, as applicable, shall:

2-13 (1) keep records of the amount of funds on deposit
2-14 collected under this article; and

2-15 (2) send to the comptroller before the last day of the
2-16 first month following each calendar quarter the funds collected
2-17 under this article during the preceding quarter, except that the
2-18 custodian may retain 50 percent of funds collected under this
2-19 article for the purpose of operating or establishing a juvenile
2-20 case manager program, if the county or municipality has established
2-21 or is attempting to establish a juvenile case manager program.

2-22 (f) If no funds due as costs under this article are
2-23 deposited in a county treasury or municipal treasury in a calendar
2-24 quarter, the custodian of the treasury shall file the report
2-25 required for the quarter in the regular manner and must state that
2-26 no funds were collected.

2-27 (g) The comptroller shall deposit the funds received under
2-28 this article to the credit of a dedicated account in the general
2-29 revenue fund to be known as the truancy prevention and diversion
2-30 fund. The legislature may appropriate money from the account only
2-31 to the criminal justice division of the governor's office for
2-32 distribution to local governmental entities for truancy prevention
2-33 and intervention services.

2-34 (h) A local governmental entity may request funds from the
2-35 criminal justice division of the governor's office for providing
2-36 truancy prevention and intervention services. The division may
2-37 award the requested funds based on the availability of appropriated
2-38 funds and subject to the application procedure and eligibility
2-39 requirements specified by division rule.

2-40 (i) Funds collected under this article are subject to audit
2-41 by the comptroller.

2-42 SECTION 3. Subchapter B, Chapter 103, Government Code, is
2-43 amended by adding Section 103.034 to read as follows:

2-44 Sec. 103.034. MISCELLANEOUS COURT COSTS: TRUANCY
2-45 PREVENTION AND DIVERSION FUND. Court costs of \$2 for the truancy
2-46 prevention and diversion fund established under Article 102.015,
2-47 Code of Criminal Procedure, shall be collected under that article.

2-48 SECTION 4. The change in law made by this Act applies only
2-49 to an offense committed on or after the effective date of this Act.
2-50 An offense committed before the effective date of this Act is
2-51 covered by the law in effect when the offense was committed, and the
2-52 former law is continued in effect for that purpose. For purposes of
2-53 this section, an offense is committed before the effective date of
2-54 this Act if any element of the offense was committed before that
2-55 date.

2-56 SECTION 5. This Act takes effect September 1, 2013.

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