

By: Hinojosa

S.B. No. 1353

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the provision and administration of indigent defense
3 services.

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

5 SECTION 1. Section 79.037, Government Code, is amended by
6 amending Subsections (b) and (c) and adding Subsection (e) to read
7 as follows:

8 (b) The commission shall distribute funds as described
9 ~~[required]~~ by Subsection (a)(2) or (e) based on the applicable ~~[a]~~
10 county's compliance with standards adopted by the board and the
11 county's demonstrated commitment to compliance with the
12 requirements of state law relating to indigent defense.

13 (c) The board shall adopt policies to ensure that funds
14 under Subsection (a)(2) or (e) are allocated and distributed ~~[to~~
15 ~~counties]~~ in a fair manner.

16 (e) The commission may award a grant to an entity described
17 by Section 791.013 that provides to a county administrative
18 services pursuant to an interlocal contract entered into for the
19 purpose of providing or improving the provision of indigent defense
20 services in the county. The commission shall monitor each entity
21 that receives a grant under this subsection and enforce compliance
22 with the conditions of the grant in the same manner as if the grant
23 were awarded directly to a county under Subsection (a)(2).

24 SECTION 2. Subchapter C, Chapter 79, Government Code, is

1 amended by adding Section 79.040 to read as follows:

2 Sec. 79.040. INDIGENT DEFENSE INFORMATION SYSTEM. (a) By
3 entering into an interlocal contract with one or more counties
4 under Chapter 791, the commission may participate and assist
5 counties in the creation, implementation, operation, and
6 maintenance of a statewide computerized system to be used to assist
7 those counties in the provision and administration of indigent
8 defense services and to be used to collect data from those counties
9 regarding representation of indigent defendants in this state.

10 (b) The commission may use appropriated funds to pay costs
11 incurred pursuant to an interlocal contract described by Subsection
12 (a), including license fees, implementation costs, maintenance and
13 operations costs, administrative costs, and any other costs
14 specified in the interlocal contract.

15 (c) The commission may provide training services to
16 counties on the use and operation of a system created, implemented,
17 operated, or maintained by one or more counties under Subsection
18 (a).

19 (d) Subchapter L, Chapter 2054, does not apply to the
20 statewide indigent defense information system created under this
21 section.

22 SECTION 3. This Act takes effect September 1, 2015.