

By: Lucio

S.B. No. 2135

A BILL TO BE ENTITLED

AN ACT

relating to services provided to veterans who have been arrested for a misdemeanor or felony offense.

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

SECTION 1. Subchapter A, Chapter 434, Government Code, is amended by adding Sections 434.024 and 434.025 to read as follows:

Sec. 434.024. COORDINATION WITH MUNICIPALITIES. The Texas Veterans Commission and a Veterans County Service Office created under Subchapter B in a county in which a veterans treatment court program has been established under Chapter 124 shall:

(1) contact the municipalities in that county and inform the municipalities of the benefits and services provided by the veterans treatment court program; and

(2) develop procedures by which municipalities in that county may inform the Veterans County Service Office that a veteran has been arrested in the municipality for a misdemeanor or felony offense.

Sec. 434.025. WORK GROUP ON VETERANS TREATMENT COURT PROGRAMS. (a) In this section:

(1) "Commission" means the Texas Veterans Commission.

(2) "Veterans treatment court program" has the meaning assigned by Section 124.001.

(3) "Work group" means the Work Group on Veterans Treatment Court Programs.

1 (b) The commission shall establish the Work Group on
2 Veterans Treatment Court Programs:

3 (1) to develop and make recommendations for
4 strengthening veterans treatment court programs; and

5 (2) composed of the following members:

6 (A) providers of services to veterans;

7 (B) members of the judiciary;

8 (C) representatives from the United States
9 Department of Veterans Affairs; and

10 (D) members of interested nonprofit and private
11 organizations, including national foundations for veterans.

12 (c) The work group shall develop recommendations:

13 (1) identifying additional funding mechanisms for
14 veterans treatment court programs; and

15 (2) for increasing the use and effectiveness of
16 veterans treatment court programs.

17 (d) In developing the recommendations described by
18 Subsection (c)(2), the work group shall collaborate with veterans
19 county service officers appointed under Section [434.033](#).

20 (e) Not later than October 1 of each even-numbered year, the
21 work group shall submit to the commission a written report of the
22 work group's recommendations described by Subsection (c). The work
23 group may electronically deliver the report to the commission.

24 (f) Not later than December 1 of each even-numbered year,
25 the commission shall evaluate the work group's report and submit to
26 the legislature a report outlining legislative recommendations to
27 strengthen veterans treatment court programs. The commission may

1 electronically deliver the report to the legislature.

2 SECTION 2. Section 434.039, Government Code, is amended to
3 read as follows:

4 Sec. 434.039. COORDINATION WITH COUNTY SERVICE OFFICERS AND
5 COMMISSIONERS COURTS. The commission shall develop and adopt
6 procedures to coordinate with county service officers and county
7 commissioners courts to:

8 (1) identify the shared objectives of the commission,
9 county service officers, and counties with a county service office
10 in serving veterans;

11 (2) develop a plan for encouraging service officers to
12 become accredited by the United States Department of Veterans
13 Affairs;

14 (3) develop a procedure for consulting with counties
15 to evaluate the state's overall approach to service delivery by
16 county service officers and commission claims staff as part of the
17 state's veterans assistance network;

18 (4) define the commission's responsibilities in
19 overseeing claims and appeals prepared by county service officers
20 for instances when the commission has been designated as a
21 veteran's agent under a power of attorney;

22 (5) develop a process for collecting information
23 regarding claims filed by county service officers for instances
24 when the commission has been designated as a veteran's agent under a
25 power of attorney, for providing technical assistance to county
26 service officers, and for providing evaluative information, on
27 request, to county judges or other local officials who supervise

1 county service officers;

2 (6) incorporate county service officers into United
3 States Department of Veterans Affairs appeals hearings either to
4 represent veterans or to appear as witnesses, as needed;

5 (7) explore opportunities for funding county service
6 officer travel to participate in United States Department of
7 Veterans Affairs appeals hearings; ~~and~~

8 (8) develop procedures to regularly update county
9 service officers on changes in United States Department of Veterans
10 Affairs policies and procedures, and other information; and

11 (9) develop procedures for county commissioners
12 courts in counties in which a veterans treatment court program has
13 been established under Chapter 124 to inform an officer for that
14 county that a veteran in that county has been arrested for a
15 misdemeanor or felony offense.

16 SECTION 3. Subchapter B, Chapter 434, Government Code, is
17 amended by adding Sections 434.040, 434.041, and 434.042 to read as
18 follows:

19 Sec. 434.040. NOTIFICATION TO COUNTY SERVICE OFFICERS OF
20 ARRESTED VETERANS. (a) A municipality or a county commissioners
21 court in a county in which a veterans treatment court program has
22 been established under Chapter 124 shall notify the officer for
23 that county:

24 (1) that a veteran in that county or municipality, as
25 applicable, has been arrested for a misdemeanor or felony offense;
26 and

27 (2) of the type of misdemeanor or felony offense for

1 which the veteran was arrested.

2 (b) A county commissioners court shall notify an officer of
3 a veteran's arrest under Subsection (a) not later than 24 hours
4 after the arrest.

5 (c) To satisfy the requirements of Subsection (a), a
6 municipality or a county commissioners court may:

7 (1) follow the procedures developed by the commission
8 to notify officers of arrested veterans under Section 434.024 or
9 434.039, as applicable; or

10 (2) establish its own procedures to notify officers of
11 arrested veterans.

12 Sec. 434.041. VISITATION OF VETERANS IN JAIL. After an
13 officer for a county learns that a veteran has been arrested for a
14 misdemeanor or felony offense and is confined in jail, the officer
15 shall visit the veteran in the:

16 (1) county jail not later than 72 hours after
17 receiving notification under Section 434.040; or

18 (2) municipal jail as soon as practicable after
19 receiving notification under Section 434.040.

20 Sec. 434.042. RECOMMENDATION FOR VETERANS TREATMENT COURT
21 PROGRAM. (a) After visitation of a veteran under Section 434.041,
22 an officer, in consultation with the county commissioners court and
23 the commission, shall determine whether the veteran is eligible
24 under Section 124.002 to participate in a veterans treatment court
25 program established under Chapter 124.

26 (b) If the officer determines under Subsection (a) that a
27 veteran is eligible for participation in a veterans treatment court

1 program established under Chapter 124, the officer shall recommend
2 to the court in which the criminal case is pending that the veteran
3 participate in the program.

4 SECTION 4. The Work Group on Veterans Treatment Court
5 Programs established under Section 434.025, Government Code, as
6 added by this Act, shall hold the group's initial meeting not later
7 than November 1, 2017.

8 SECTION 5. Not later than December 1, 2017, the Texas
9 Veterans Commission shall adopt rules and procedures necessary to
10 implement the changes in law made by this Act to Chapter 434,
11 Government Code.

12 SECTION 6. This Act takes effect immediately if it receives
13 a vote of two-thirds of all the members elected to each house, as
14 provided by Section 39, Article III, Texas Constitution. If this
15 Act does not receive the vote necessary for immediate effect, this
16 Act takes effect September 1, 2017.