|  |
| --- |
| BILL ANALYSIS |

|  |
| --- |
| S.B. 1147 |
| By: Buckingham |
| Corrections |
| Committee Report (Unamended) |

|  |
| --- |
| **BACKGROUND AND PURPOSE**  It has been reported that medication‑assisted treatment may be an effective means to treat alcohol dependence. There have been calls to allow judges to require that a defendant convicted of an intoxication offense submit to an evaluation as a condition of community supervision for purposes of determining whether the defendant would benefit from medication‑assisted treatment. S.B. 1147 seeks to address these calls by revising the conditions of community supervision applicable to certain intoxication offenses. |
| **CRIMINAL JUSTICE IMPACT**  It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision. |
| **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**  S.B. 1147 amends the Code of Criminal Procedure to authorize a judge, if, based on an evaluation for purposes of alcohol or drug rehabilitation required for a defendant who is convicted of certain intoxication offenses and granted community supervision, the judge determines that the defendant would likely benefit from medication-assisted treatment approved by the U.S. Food and Drug Administration for alcohol dependence, to require as a condition of community supervision that the defendant submit to an evaluation by a licensed physician to determine whether the defendant would benefit from medication-assisted treatment. The bill establishes that only a licensed physician may recommend that a defendant participate in such medication-assisted treatment. The bill entitles a defendant to refuse to participate in medication-assisted treatment and prohibits a judge from requiring that the defendant participate in medication-assisted treatment as a condition of community supervision. |
| **EFFECTIVE DATE**  September 1, 2019. |