

BILL ANALYSIS

C.S.H.B. 1812
By: Murr
Criminal Jurisprudence
Committee Report (Substituted)

BACKGROUND AND PURPOSE

It has been suggested that certain funds previously allocated for grants to counties through the Texas Indigent Defense Commission are currently unavailable for use, due to certain ambiguity in the requisite authority caused by conflicting provisions of applicable legislation. C.S.H.B. 1812 seeks to address this issue by harmonizing those provisions.

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

C.S.H.B. 1812 amends the Government Code to specify that grants distributed by the Texas Indigent Defense Commission to assist a county in providing indigent defense services may be used for improving the provision of such services in a county. The bill makes the following entities eligible to receive such grants:

- an entity that provides administrative services to a county under an interlocal contract entered into for the purpose of providing or improving the provision of indigent defense in the county; and
- a nonprofit corporation that provides indigent defense services or indigent defense support services in the county.

The bill clarifies that technical support provided by the commission to assist counties in improving their indigent defense systems applies to county systems for providing indigent defense services, including indigent defense support services.

C.S.H.B. 1812 reenacts and amends Section 79.037(b), Government Code, as amended by Chapters 56 (S.B. 1353) and 476 (S.B. 1057), Acts of the 84th Legislature, Regular Session, 2015, to conform to changes made by Chapter 476 (S.B. 1057), Acts of the 84th Legislature, Regular Session, 2015, requiring the commission to determine for each county the entity or entities within the county that are eligible to receive funds for the provision of indigent defense services based on the entity's compliance with standards adopted by the commission's governing board and demonstrated commitment to compliance with the requirements of state law relating to indigent defense.

C.S.H.B. 1812 repeals Section 79.037(e), Government Code, as added by Chapter 56 (S.B. 1353), Acts of the 84th Legislature, Regular Session, 2015.

EFFECTIVE DATE

September 1, 2019.

COMPARISON OF ORIGINAL AND SUBSTITUTE

While C.S.H.B. 1812 may differ from the original in minor or nonsubstantive ways, the following summarizes the substantial differences between the introduced and committee substitute versions of the bill.

The substitute includes a nonprofit corporation that provides indigent defense services or indigent defense support services among the entities eligible to receive the applicable grants.

The substitute includes a clarification of the purposes for which the Texas Indigent Defense Commission is required to provide technical support to counties.