

By: Murr

H.B. No. 1812

A BILL TO BE ENTITLED

AN ACT

relating to the provision of funding for indigent defense services.

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

SECTION 1. Section 79.037(a), Government Code, is amended to read as follows:

(a) The commission shall:

(1) provide technical support to:

(A) assist counties in improving their indigent defense systems; and

(B) promote compliance by counties with the requirements of state law relating to indigent defense;

(2) to assist a county in providing or improving the provision of indigent defense services in the county, distribute in the form of grants any funds appropriated for the purposes of this section to one or more of the following entities:

(A) the county;

(B) a law school's legal clinic or program that provides indigent defense services in the county; ~~and~~

(C) a regional public defender that meets the requirements of Subsection (e) and provides indigent defense services in the county; and

(D) an entity described by Section 791.013 that provides to a county administrative services under an interlocal contract entered into for the purpose of providing or improving the

1 provision of indigent defense services in the county; and

2 (3) monitor each entity that receives a grant under
3 Subdivision (2) and enforce compliance with the conditions of the
4 grant, including enforcement by:

5 (A) withdrawing grant funds; or

6 (B) requiring reimbursement of grant funds by the
7 entity.

8 SECTION 2. Section 79.037(b), Government Code, as amended
9 by Chapters 56 (S.B. 1353) and 476 (S.B. 1057), Acts of the 84th
10 Legislature, Regular Session, 2015, is reenacted and amended to
11 read as follows:

12 (b) The commission shall determine for each county the
13 entity or entities [~~within the county~~] that are eligible to receive
14 funds for the provision of or improvement in the provision of
15 indigent defense services under Subsection (a)(2). The
16 determination must be made based on the entity's:

17 (1) compliance with standards adopted by the board;
18 and

19 (2) demonstrated commitment to compliance with the
20 requirements of state law relating to indigent defense.

21 SECTION 3. Section 79.037(c), Government Code, as amended
22 by Chapters 56 (S.B. 1353) and 476 (S.B. 1057), Acts of the 84th
23 Legislature, Regular Session, 2015, is reenacted to read as
24 follows:

25 (c) The board shall adopt policies to ensure that funds
26 under Subsection (a)(2) are allocated and distributed in a fair
27 manner.

1 SECTION 4. Section 79.037(e), Government Code, as added by
2 Chapter 56 (S.B. 1353), Acts of the 84th Legislature, Regular
3 Session, 2015, is repealed.

4 SECTION 5. This Act takes effect September 1, 2019.