

By: Gutierrez

H.B. No. 3529

A BILL TO BE ENTITLED

AN ACT

relating to the creation of a family violence pretrial diversion pilot program in Bexar County.

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

SECTION 1. Chapter 509, Government Code, is amended by adding Section 509.018 to read as follows:

Sec. 509.018. FAMILY VIOLENCE PRETRIAL DIVERSION PILOT PROGRAM. (a) In this section, "family violence" has the meaning assigned by Section 71.004, Family Code.

(b) To reduce rates of family violence recidivism, the division shall collaborate with judges in Bexar County who have jurisdiction over cases involving family violence to establish a family violence pretrial diversion pilot program for individuals who are charged with an offense involving family violence and who suffer from a substance abuse disorder or chemical dependency.

(c) The pretrial diversion pilot program developed under this section shall include:

(1) assessment instruments to accurately analyze the needs of pilot program participants;

(2) a comprehensive substance abuse disorder and chemical dependency treatment program that includes case managers, clinicians, peer mentors, or recovery coaches;

(3) in collaboration with law enforcement agencies, a procedure to rapidly respond to pilot program participants who fail

1 to comply with pilot program requirements, including, when
2 appropriate, immediate removal from the pilot program; and

3 (4) the use of a video teleconferencing system in
4 court to facilitate the cooperation of witnesses in the criminal
5 justice system and to reduce costs associated with transporting
6 defendants.

7 (d) The division shall review the pilot program established
8 under this section and submit a report to the governor, the
9 lieutenant governor, the speaker of the house of representatives,
10 and the legislature not later than December 1 of each even-numbered
11 year. The report must include:

12 (1) a summary of the status and results of the pilot
13 program;

14 (2) an analysis of the effectiveness of the pilot
15 program in reducing the rate of family violence recidivism among
16 individuals charged with an offense involving family violence and
17 suffering from a substance abuse disorder or chemical dependency;

18 (3) sources of funding available to extend the pilot
19 program to other counties or for a longer period of time, including
20 available local, state, and federal funding sources; and

21 (4) any legislative or other recommendations.

22 (e) This section expires September 1, 2023.

23 SECTION 2. This Act takes effect immediately if it receives
24 a vote of two-thirds of all the members elected to each house, as
25 provided by Section 39, Article III, Texas Constitution. If this
26 Act does not receive the vote necessary for immediate effect, this
27 Act takes effect September 1, 2019.