

By: Gutierrez

H.B. No. 3529

Substitute the following for H.B. No. 3529:

By: Neave

C.S.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 493, Government Code, is amended by adding Section 493.032 to read as follows:

Sec. 493.032. 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 executive director 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

1 procedure to rapidly respond to pilot program participants who fail
2 to comply with pilot program requirements, including, when
3 appropriate, immediate removal from the pilot program; and

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

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

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

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

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

22 (4) any legislative or other recommendations.

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

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

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1 Act takes effect September 1, 2019.