

By: Coleman, Wu

H.B. No. 3786

A BILL TO BE ENTITLED

AN ACT

relating to a study conducted by counties on the effectiveness of establishing a family drug court; establishing a family drug court grant program.

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

SECTION 1. Chapter 122, Government Code, is amended by adding Sections 122.005 and 122.006 to read as follows:

Sec. 122.005. FAMILY DRUG COURT STUDY. (a) The commissioners court of a county that has not established a family drug court program may conduct a study of the effect the creation of a family drug court would have in the county. If the commissioners court conducts a study under this section, the sheriff and, as applicable, the county attorney, district attorney, or criminal district attorney shall assist in conducting the study.

(b) A commissioners court that conducts a study under this section shall request assistance from the following persons located in the county:

(1) judges;

(2) child protective services caseworkers and supervisors;

(3) attorneys ad litem;

(4) guardians ad litem;

(5) drug treatment providers;

(6) family and child therapists;

- (7) peer recovery coach providers;
- (8) domestic violence victim advocates;
- (9) housing partners;
- (10) drug coordinators;
- (11) drug court services managers; and
- (12) drug court case managers.

(c) A study conducted under this section must analyze the effectiveness of:

(1) creating a court that specializes in cases in which a parent or person standing in parental relation suffers from drug addiction; and

(2) case management used by a family drug court program, including the involvement of Department of Family and Protective Services caseworkers, court-appointed case managers, and court-appointed special advocates, to rehabilitate a parent or person standing in parental relation who has had a child removed from the parent's or person's care by the department or who is under investigation to determine if a child should be removed from the parent's or person's care by the department.

(d) This section expires January 1, 2021.

Sec. 122.006. GRANT FUNDING FOR FAMILY DRUG COURTS. (a) The family drug court fund is a dedicated account in the general revenue fund in the state treasury.

(b) The family drug court fund consists of:

(1) appropriations of money to the fund by the legislature; and

(2) gifts, grants, including grants from the federal

1 government, and other donations received for the fund.

2       (c) The Health and Human Services Commission shall  
3 administer the family drug court fund. Money in the account may be  
4 used only to award grants to counties to establish and administer a  
5 family drug court. To receive money from the family drug court fund  
6 a county must submit the study conducted under Section 122.005 on  
7 the effect of the creation of a family drug court in the county and a  
8 detailed proposal of the establishment of the court.

9       SECTION 2. The Health and Human Services Commission shall  
10 adopt rules establishing the criteria for awarding a grant to  
11 counties to establish a family drug court under Section 122.006,  
12 Government Code, as added by this Act, not later than January 1,  
13 2020.

14       SECTION 3. This Act takes effect September 1, 2019.