

By: Coleman, Wu

H.B. No. 3786

Substitute the following for H.B. No. 3786:

By: Stickland

C.S.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) Not later than September 1, 2020, the commissioners court of each county that has not established a family drug court program shall study the effect the creation of a family drug court would have in the county. The sheriff and, as applicable, the county attorney, district attorney, or criminal district attorney shall assist in conducting the study.

(b) Each commissioners court in a county conducting the study required by Subsection (a) 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;

1           (8) domestic violence victim advocates;

2           (9) housing partners;

3           (10) drug coordinators;

4           (11) drug court services managers; and

5           (12) drug court case managers.

6           (c) The study must analyze the effectiveness of:

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

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

18           (d) This section expires January 1, 2021.

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

22           (b) The family drug court fund consists of:

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

25           (2) gifts, grants, including grants from the federal  
26 government, and other donations received for the fund.

27           (c) The Health and Human Services Commission shall

1 administer the family drug court fund. Money in the account may be  
2 used only to award grants to counties to establish and administer a  
3 family drug court. To receive money from the family drug court fund  
4 a county must submit the study conducted under Section 122.005 on  
5 the effect of the creation of a family drug court in the county and a  
6 detailed proposal of the establishment of the court.

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

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