

By: Neave

H.B. No. 1706

A BILL TO BE ENTITLED

AN ACT

relating to a specialty court program to provide victim services in sexual assault cases.

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

SECTION 1. Title 2, Government Code, is amended by adding Subtitle K-1 to read as follows:

SUBTITLE K-1. SPECIALTY COURTS FOR VICTIM SERVICES

CHAPTER 141. SEXUAL ASSAULT VICTIM SERVICES COURT PROGRAM

Sec. 141.001. SEXUAL ASSAULT VICTIM SERVICES COURT PROGRAM

DEFINED. In this chapter, "sexual assault victim services court program" means a program that has the following essential characteristics:

(1) the integration of services provided by public agencies and community organizations for victims in sexual assault cases who voluntarily agree to participate in the program;

(2) the use of prosecutors with experience in prosecuting sexual assault cases and judges with experience in hearing sexual assault cases;

(3) early identification and prompt assignment of eligible cases to the court designated under Section 141.002(b);

(4) access for victims participating in the program to counseling and other related services provided by public agencies and community organizations;

(5) development of partnerships with public agencies

1 and community organizations;

2 (6) monitoring and evaluation of program goals and  
3 effectiveness;

4 (7) continuing interdisciplinary education to promote  
5 effective program planning, implementation, and operations;

6 (8) inclusion of a participant's family members who  
7 voluntarily agree to be involved in the services provided to the  
8 participant under the program;

9 (9) prosecution of sexual assault offenses;

10 (10) issuance of protective orders for victims on the  
11 victim's consent and as authorized by state law; and

12 (11) continued monitoring of sexual assault  
13 defendants through prosecution and adjudication and for the  
14 duration of convicted offenders' sentences.

15 Sec. 141.002. AUTHORITY TO ESTABLISH PROGRAM; ELIGIBILITY.

16 (a) The commissioners court of a county may establish a sexual  
17 assault victim services court program for participants who:

18 (1) are victims of an alleged sexual assault in which a  
19 person is arrested for or charged with an offense under Chapter 21  
20 or 22, Penal Code, committed against the victim; and

21 (2) voluntarily agree to participate in the program.

22 (b) The local administrative district and statutory county  
23 court judges of the county may designate a court in the county for  
24 assignment of cases described by Subsection (a). The judge of the  
25 designated court must have experience hearing sexual assault cases  
26 under Chapter 21 or 22, Penal Code. The prosecuting attorney for  
27 the court must have experience in prosecuting sexual assault

1 offenses under Chapter 21 or 22, Penal Code.

2 Sec. 141.003. DUTIES OF SEXUAL ASSAULT VICTIM SERVICES  
3 COURT PROGRAM. (a) A sexual assault victim services court program  
4 established under this chapter must:

5 (1) ensure that a victim eligible for participation in  
6 the program voluntarily agrees to participate in the program; and

7 (2) allow a participant to withdraw from the program  
8 at any time.

9 (b) A sexual assault victim services court program  
10 established under this chapter shall make, establish, and publish  
11 local procedures to ensure maximum participation of eligible  
12 victims in the county.

13 Sec. 141.004. GIFTS, GRANTS, AND DONATIONS. A county may  
14 accept a gift, grant, donation, or bequest of money, services,  
15 equipment, goods, or other tangible or intangible property from any  
16 source for the sexual assault victim services court program.

17 SECTION 2. This Act takes effect September 1, 2021.