

Amend CSHB 7 (senate committee report) by adding the following appropriately numbered ARTICLE to the bill and renumbering the ARTICLES and SECTIONS of the bill accordingly:

ARTICLE _. BORDER REGION COURT PROGRAM

SECTION _.01. Chapter 72, Government Code, is amended by adding Subchapter H to read as follows:

SUBCHAPTER H. BORDER PROTECTION COURT GRANT PROGRAM

Sec. 72.201. DEFINITIONS. In this subchapter:

(1) "Border-related offense" means an offense:

(A) associated with or involving:

(i) a person unlawfully entering or attempting to enter this state by crossing the Texas-Mexico border at any place other than at a port of entry;

(ii) the smuggling of individuals or contraband across the Texas-Mexico border; or

(iii) an operative of a transnational cartel;

(B) similar to an offense described by Paragraph (A) that the office by rule defines as a border-related offense for purposes of this subchapter; or

(C) for which the office has determined prosecutions have significantly increased as a result of Operation Lone Star.

(2) "Border region" has the meaning assigned by Section 772.0071.

Sec. 72.202. GRANT PROGRAM. (a) From money appropriated for that purpose, the office shall establish and administer a grant program to support the operation of courts in the border region with the adjudication of border-related offenses.

(b) In addition to other funds appropriated by the legislature and for purposes of administering and funding the grant program, the office may:

(1) seek and apply for any available federal funds; and

(2) solicit and accept gifts, grants, and donations from any other source, public or private, as necessary to ensure resources are available to achieve the purpose described by

Subsection (a).

(c) The grants awarded under this subchapter may be used for the reimbursement of costs associated with the operation of a court, including the:

(1) salary of a visiting judge appointed under Chapter 74;

(2) salary and benefits of an associate judge, court coordinator, court administrator, court reporter, and court interpreter;

(3) salary and benefits of district and county clerk staff;

(4) travel costs and other expenses incurred by court personnel and judges in the performance of their duties;

(5) cost of equipment necessary for personnel dedicated to the processing and adjudicating of border-related offenses;

(6) fees and related expenses for the appointment of counsel to represent an indigent defendant under Chapter 26, Code of Criminal Procedure, or the costs to operate a public defender's office or managed assigned counsel program under that chapter, as those fees and expenses relate to the adjudication of border-related offenses; or

(7) salary, benefits, and related expenses of prosecution personnel.

Sec. 72.203. RULES. (a) The office shall adopt rules for the administration and operation of the grant program established under this subchapter.

(b) In adopting the rules, the office shall:

(1) conduct a study of the data collected for this purpose or otherwise available on crime, arrests, detentions, and convictions to identify offenses for which prosecutions have increased as a result of Operation Lone Star; and

(2) solicit from governmental officials, community leaders, and other interested persons in the border region information necessary to identify the courts of the region needing financial assistance.

(c) The rules must include:

(1) administrative provisions for grants awarded under this subchapter, including:

(A) eligibility criteria for grant applicants, including criteria to limit eligibility to those applicants experiencing an increase in caseloads;

(B) grant application procedures;

(C) guidelines relating to grant amounts;

(D) procedures for evaluating grant applications; and

(E) procedures for monitoring the use of grants;

(2) methods for tracking the effectiveness of grants and the efficiency of the applicants receiving grants; and

(3) procedures for reporting caseload data at least annually, including caseload data necessary to update the study described by Section 72.2055.

Sec. 72.204. GRANT AMOUNTS. The amount of a grant awarded under this subchapter may not exceed the amount set by the General Appropriations Act.

Sec. 72.205. REPORTING REQUIREMENTS FOR GRANT RECIPIENTS. The recipient of a grant awarded under this subchapter shall submit to the office an annual report on the grant money spent during the year covered by the report and the purposes for which that money was spent.

Sec. 72.2055. ANNUAL REPORT BY OFFICE. Annually, the office shall update the study conducted under Section 72.203(b)(1) using caseload data required to be reported under the rules adopted under Section 72.203(c).

Sec. 72.206. ADMINISTRATIVE COSTS. Unless otherwise provided by the appropriation, the office may use a reasonable amount, not to exceed five percent, of any general revenue appropriated for purposes of this subchapter to pay the costs of administering the grant program.

SECTION __.02. As soon as practicable after the effective date of this article, the Office of Court Administration of the Texas Judicial System shall with respect to Subchapter H, Chapter 72, Government Code, as added by this article:

(1) adopt rules as necessary to implement the

subchapter; and

(2) establish the grant program required by the subchapter.