

BILL ANALYSIS

H.B. 2741
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Judiciary & Civil Jurisprudence
Committee Report (Unamended)

BACKGROUND AND PURPOSE

State district judges have expressed concerns about matters relating to specialty courts. Under current law, the juvenile family drug court program is excluded from the specialty courts considered to be treatment courts by the Specialty Court Advisory Council. Furthermore, council recommendations are required to be provided to the criminal justice division of the governor's office, even though the law was previously changed to give the Office of Court Administration of the Texas Judicial System (OCA) responsibility in this area. Lastly, current law provides for the governor to appoint the nine-member council board with four appointments required to be judges with experience in specific types of specialty courts, thus limiting the pool of judges available to serve. H.B. 2741 seeks to address these issues by adding the juvenile family drug court program to the courts considered to be specialty treatment courts, requiring the council's proposed best practices to be provided to the OCA and the criminal justice division, and authorizing the governor to appoint judges with experience from all of the types of specialty court programs, not just the current four in statute.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

H.B. 2741 amends the Government Code to include a juvenile family drug court program among the programs considered specialty courts for purposes of the Specialty Courts Advisory Council, which evaluates applications for grant funding for specialty courts and makes recommendations to the criminal justice division of the governor's office regarding funding and best practices for those courts. The bill expands the duties of the council to include making recommendations to the Texas Judicial Council and the Office of Court Administration of the Texas Judicial System regarding specialty court best practices. The bill changes the council's composition by removing the specification that the four members representing specialty courts each have experience as a judge for a distinct type of specialty court and specifying instead that those four members have experience as the judge of at least one specialty court.

EFFECTIVE DATE

September 1, 2023.