

By: Hinojosa, LaMantia

S.B. No. 1841

A BILL TO BE ENTITLED

AN ACT

relating to family violence center services for victims of family violence.

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

SECTION 1. Section 51.002, Human Resources Code, is amended by amending Subdivisions (1), (2), and (9) and adding Subdivisions (1-a), (1-b), and (8-a) to read as follows:

(1) "Dating relationship" has the meaning assigned by Section 71.0021(b), Family Code.

(1-a) "Dating violence" means an act, other than a defensive measure to protect oneself, by an individual against another individual with whom the actor has or has had a dating relationship and that is:

(A) intended to result in physical harm, bodily injury, assault, or sexual assault;

(B) a threat that reasonably places an individual in fear of imminent physical harm, bodily injury, assault, or sexual assault; or

(C) intended to inflict emotional harm, including an act of emotional abuse.

(1-b) "Family" has the meaning assigned by Section 71.003, Family Code.

(2) "Family violence" means:

(A) an act by a member of a family or household

1 against another member of the family or household that:

2 (i) [~~(A)~~] is intended to result in physical
3 harm, bodily injury, assault, or sexual assault or that is a threat
4 that reasonably places the member in fear of imminent physical
5 harm, bodily injury, assault, or sexual assault, but does not
6 include defensive measures to protect oneself; or

7 (ii) [~~(B)~~] is intended to inflict emotional
8 harm, including an act of emotional abuse; or

9 (B) dating violence.

10 (8-a) "Trauma-informed" in regard to a service or
11 service model means that the service or service model is provided in
12 a manner that recognizes and responds to the signs and symptoms of
13 trauma in, and the risks of trauma to, a victim of family violence
14 to better support the victim and promote the victim's choice,
15 trust, dignity, connection, and healing.

16 (9) "Victim of family violence" means:

17 (A) an adult member of a family or household who
18 is subjected to an act of family violence; [~~or~~]

19 (B) a member of the household of the adult
20 described by Paragraph (A), other than the member of the household
21 who commits the act of family violence, including an act of
22 emotional abuse; or

23 (C) an individual who is subjected to an act of
24 dating violence.

25 SECTION 2. Sections 51.004(a) and (b), Human Resources
26 Code, are amended to read as follows:

27 (a) To be eligible for a contract under Section 51.003(a), a

family violence shelter center must:

(1) provide temporary lodging and direct delivery of services for adults and their dependents;

(2) have been in actual operation offering shelter services 24 hours a day with a capacity for not less than five persons for at least one year before the date on which the contract is awarded;

(3) demonstrate that the center, through the services it provides, is addressing a need in the community consistent with the plan for family violence services under Section 51.0021; ~~and~~

(4) demonstrate that the center is using a voluntary and trauma-informed advocacy service model that respects an individual's needs; and

(5) submit a contract application on forms prescribed by the commission.

(b) To be eligible for a contract under Section 51.003(a), a family violence nonresidential center must:

(1) provide, as its primary purpose, direct delivery of services to adult victims of family violence;

(2) demonstrate a system of referring victims of family violence to at least one family violence shelter center or other safe temporary lodging;

(3) have been operating and providing comprehensive services, including the services described by Section 51.005(b)(3), to victims of family violence for at least one year before the date on which the contract is awarded;

(4) demonstrate that the center, through the services

1 it provides, is addressing a need in the community consistent with
2 the plan for family violence services under Section 51.0021; ~~and~~

3 (5) demonstrate that the center is using a voluntary
4 and trauma-informed advocacy service model that respects an
5 individual's needs; and

6 (6) submit a contract application on forms prescribed
7 by the commission.

8 SECTION 3. Section 51.005, Human Resources Code, is amended
9 by amending Subsection (b) and adding Subsection (b-1) to read as
10 follows:

11 (b) The contracts shall require the persons operating a
12 family violence center to:

13 (1) make a quarterly and an annual financial report on
14 a form prescribed by the commission;

15 (2) cooperate with inspections the commission makes to
16 ensure services standards and fiscal responsibility; and

17 (3) provide, as its primary purpose, voluntary and
18 trauma-informed services to victims of family violence that
19 include:

20 (A) 24-hour-a-day shelter, except that a family
21 violence nonresidential center may provide access to a
22 24-hour-a-day shelter;

23 (B) a 24-hour-a-day crisis hotline, except that a
24 family violence nonresidential center may provide access to a
25 24-hour-a-day crisis hotline operated by another organization
26 located in the nonresidential center's service area;

27 (C) access to emergency medical care;

(D) crisis and intervention services, including
[~~safety planning,~~] understanding and support, information,
education, referrals, and other resource assistance;

(E) access to emergency transportation;

(F) advocacy focused on:

(i) economic and housing stability;

(ii) physical, behavioral, and mental
health;

(iii) the needs of children who are victims
and the children of victims; and

(iv) [~~legal assistance in~~] the civil and
criminal legal [~~justice~~] systems, including:

(a) [~~(i)~~] identifying individual
needs, legal rights, and legal options; and

(b) [~~(ii)~~] providing support and
accompaniment in pursuing those options;

(G) ongoing safety planning services in
collaboration with the self-stated priorities and needs of the
victim of family violence [~~information about educational~~
~~arrangements for children~~];

(H) community education regarding family
violence and family violence prevention efforts [~~information about~~
~~training for and seeking employment~~];

(I) counseling services [~~cooperation with~~
~~criminal justice officials~~]; and

(J) peer support services led by victims of
family violence, including activities and other efforts that

1 facilitate connections and the creation of community among victims
2 of family violence [~~community education,~~
3 [~~(K) a referral system to existing community~~
4 ~~services; and~~
5 [~~(L) a volunteer recruitment and training~~
6 ~~program~~].

7 (b-1) The contracts shall:

8 (1) specify that participation in services by a victim
9 of family violence is voluntary; and

10 (2) prohibit the persons operating a family violence
11 center from requiring a victim of family violence to participate in
12 other services as a condition of receiving shelter.

13 SECTION 4. The changes in law made by this Act apply only to
14 a contract entered into or amended on or after the effective date of
15 this Act. A contract entered into or amended before the effective
16 date of this Act is governed by the law in effect on the date the
17 contract was entered into or amended, and the former law is
18 continued in effect for that purpose.

19 SECTION 5. This Act takes effect September 1, 2024.