

SUBJECT: Youth Commission licensing, selling of treatment programs

COMMITTEE: Corrections — favorable, without amendment

VOTE: 5 ayes — Hightower, Gray, Hupp, Marchant, Serna

0 nays

4 absent — Allen, Alexander, Edwards, Farrar

WITNESSES: None

DIGEST: HB 2082 would authorize the Texas Youth Commission (TYC) to sell or license to an individual or public or private entity the right to use a treatment program it develops. Proceeds from the sale or license would have to be deposited in the fund that provided the money to finance the development of the program.

HB 2082 would take immediate effect if finally approved by a two-thirds record vote of the membership in each house.

SUPPORTERS SAY: HB 2082 would allow TYC to sell authorization for others to use treatment programs that it develops, allowing the commission to recoup some of its costs to develop the program and make money for the state. This would be similar to current authority for state agencies to sell software they develop.

Public and private entities have expressed interest in using a treatment program developed by TYC. While the commission has copyrighted the curriculum and workbook for the program, it currently does not have authority to sell or license the program. HB 2082 would provide this authority, allowing the commission to recoup the money and time costs that went in to the program's development.

The bill would appropriately require that proceeds from any sales go to the fund that financed the development of the program, just as current law requires money from the sale of state agency software to be deposited in the fund that financed its development. This money could then be used to refine the program or develop other treatment programs. Routing the money

back to the fund used to develop the programs would give the commission an incentive to sell its programs. Money from the sale of programs would be properly monitored through the appropriations process and could not be spent until the commission was given proper authority.

OPPONENTS  
SAY:

No apparent opposition.