

BILL ANALYSIS

Senate Research Center

H.B. 1155
By: Hightower (Brown)
Criminal Justice
4-29-97
Committee Report (Amended)

DIGEST

Currently, the Criminal Justice Policy Council, which was created in 1983, provides research information to the governor and legislature on criminal justice issues. The council operates as an independent agency, managed by an executive director chosen by the governor and confirmed by the Senate. For fiscal year 1996, the council had a budget of \$1.1 million and employed 22 persons. Unless continued by the legislature, the council is subject to the Sunset Act and will be abolished September 1, 1997. As a result of its review of the policy council, the Sunset Advisory Commission recommended continuation and several statutory modifications that are contained in this legislation.

PURPOSE

As proposed, H.B. 1155 provides for the continuation and functions of the Criminal Justice Policy Council.

RULEMAKING AUTHORITY

This bill does not grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Chapter 413, Government Code, by redesignating Section 413.014 of that chapter as Sections 413.004 and 413.005, as follows:

CHAPTER 413. CRIMINAL JUSTICE POLICY COUNCIL

Sec. 413.001. DEFINITION. Makes no change.

Sec. 413.002. CRIMINAL JUSTICE POLICY COUNCIL. Deletes the provisions establishing the membership of the Criminal Justice Policy Council (council).

Sec. 413.003. SUNSET PROVISION. Updates the council's sunset date to September 1, 2009, which provides for the usual 12-year review. Deletes existing Sections 413.004-413.006, relating to tenure, service, and compensation of board members made unnecessary by abolishment of the board.

Sec. 413.004. New heading: EXECUTIVE DIRECTOR. Provides that the council is under the direction of an executive director. Adds standard language developed by the Sunset Commission regarding the appointment and removal of an executive director. Makes a conforming change.

Sec. 413.005. New heading: STAFF. Adds standard language developed by the Sunset Commission regarding employment qualifications, development of an intra-agency career ladder program and a system of annual performance evaluations, implementation of a written policy statement assuring equal employment opportunity, and delivery of a biennial report to the legislature.

Sec. 413.006. CONFLICT OF INTERESTS. Adds standard language developed by the Sunset Commission regarding conflicts of interests.

Sec. 413.007. APPOINTMENT OF OTHER ADVISORY BODIES. Authorizes the governor, rather than the council, to establish other advisory councils, task forces, or commissions the governor considers necessary to advise the council or to accomplish the purposes of this chapter.

Sec. 413.008. GENERAL DUTY OF POLICY COUNCIL. Makes no change.

Sec. 413.009. DUTIES OF POLICY COUNCIL. Authorizes the council, in addition to the council's other duties under this chapter, rather than Section 413.008 and Subsection (a) of this section, to perform any function described in Subsection (a) to promote an effective and cohesive juvenile justice system. Makes conforming and nonsubstantive changes.

Sec. 413.010. New heading: CONSULTATION WITH LEGISLATIVE OFFICIALS. Requires the executive director, in setting the priorities for the research projects of the policy council, to consult with the governor, lieutenant governor, speaker of the house of representatives, the presiding officer of each standing committee of the senate and house of representatives having primary jurisdiction over criminal justice issues, and the presiding officer of each standing committee of the senate and house of representatives having primary jurisdiction over matters relating to state finance and appropriations from the state treasury. Deletes existing text regarding presiding officers.

Sec. 413.011. New heading: CONTRACTUAL AUTHORITY. Deletes existing Section 413.011, regarding meetings. Redesignated from Section 413.012.

Sec. 413.012. New heading: FUNDS; GRANTS AND DONATIONS. Adds standard language developed by the Sunset Commission regarding the management of funds. Makes conforming changes.

Sec. 413.013. Redesignated from Section 413.015.

Sec. 413.014. Redesignated from Section 413.016.

Sec. 413.015. Redesignated from Section 413.017.

Sec. 413.016. Redesignated from Section 413.019.

Sec. 413.017. Redesignated from Section 413.021.

Sec. 413.018. ACCESS TO PROGRAMS AND FACILITIES. Adds standard language developed by the Sunset Commission regarding state and federal accessibility laws.

Sec. 413.019. CONSUMER INFORMATION AND COMPLAINTS. Adds standard language developed by the Sunset Commission regarding consumer information and complaints.

SECTION 2. Effective date: September 1, 1997.

SECTION 3. Emergency clause.

SUMMARY OF COMMITTEE CHANGES

Amendment 1.

Page 8, lines 3-8, amends Section 413.010, Government Code, to change the terms by which the executive director of the policy council is required to consult with certain legislative officials.