

BILL ANALYSIS

Senate Research Center

S.B. 350
By: Brown
Criminal Justice
2-21-97
As Filed

DIGEST

The Criminal Justice Policy Council (council) is subject to the sunset act and will be abolished September 1, 1997, unless continued by the legislature. The council provides research 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. As a result of its review of the council, the Sunset Advisory Commission recommended continuation and several statutory modifications that are contained in this legislation.

PURPOSE

As proposed, S.B. 350 provides for the continuation of the Criminal Justice Policy Council and makes several statutory modifications.

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, and redesignates Section 413.014 of that chapter as Sections 413.004 and 413.005, as follows:

Sec. 413.001. DEFINITION. Makes no change.

Sec. 413.002. CRIMINAL JUSTICE POLICY COUNCIL. Deletes the provision that provides 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, 413.005, and 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 appointments. Adds standard language developed by the Sunset Commission regarding removal. Makes a conforming change.

Sec. 413.005. New heading: STAFF. Adds standard language developed by the Sunset Commission regarding employment qualifications.

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 council, to consult the governor, lieutenant governor, speaker of the house of representatives, and presiding officer of each standing committee of the senate and house of representatives having jurisdiction over criminal justice issues. Deletes existing text.

Sec. 413.011. New heading: CONTRACTUAL AUTHORITY. Deletes existing section. 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 a conforming change.

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 complaints.

SECTION 2. Effective date: September 1, 1997.

SECTION 3. Emergency clause.