

BILL ANALYSIS

Senate Research Center

S.B. 1789
By: Nelson
Criminal Justice
4/6/1999
As Filed

DIGEST

Currently, the Crime Stoppers Advisory Council (council) is composed of five members, who serve two year terms, and whose duty it is to supervise and promote local and state programs related to the disclosure of criminals and rewards to citizens, among other details. S.B. 1789 would establish conditions regarding the duties and authority of the council; providing a criminal penalty.

PURPOSE

As proposed, S.B. 1789 establishes conditions regarding the duties and authority of the Crime Stoppers Advisory Council; providing a criminal penalty.

RULEMAKING AUTHORITY

Rulemaking authority is granted to the criminal justice division of the governor's office or its designee in SECTION 1 (Section 414.011(c), Government Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Chapter 414, Government Code, as follows:

Sec. 414.001. DEFINITIONS. Redefines "crime stoppers organization."

Sec. 414.002. ORGANIZATION OF COUNCIL. Sets forth certain requirements which at least three of the five members of the Crime Stoppers Advisory Council (council) must fulfill.

Sec. 414.003. PER DIEM AND EXPENSES. Makes no changes.

Sec. 414.004. DIRECTOR. Requires the council and the executive director of the criminal justice division to designate a person to serve as director. Makes conforming changes.

Sec. 414.005. DUTIES. Sets forth the requirements of the council.

Sec. 414.006. RULES. Prohibits rules adopted by the council from conflicting with rules relating to grants adopted by the criminal justice division of the governor's office.

Sec. 414.007. CONFIDENTIALITY OF COUNCIL RECORDS. Makes no changes.

Sec. 414.008. PRIVILEGED INFORMATION. Makes no changes.

Sec. 414.009. MISUSE OF INFORMATION. Provides that an offense under this section is a Class A misdemeanor, except that an offense is a third degree felony if the offense is committed with intent to obtain monetary gain or other benefit.

Sec. 414.010. PAYMENTS FROM DEFENDANTS ON COMMUNITY SUPERVISION; REWARD REPAYMENTS. Makes no changes.

Sec. 414.011. CERTIFICATION OF ORGANIZATIONS TO RECEIVE PAYMENTS AND REWARD REPAYMENTS. Establishes that crime stoppers organizations certified by the council to receive repayments are subject to certain reviews or audits at the discretion of the criminal justice division of the governor's office or its designee. Requires a copy of the review or audit

report to be submitted to the criminal justice division. Requires the criminal justice division of the governor's office or its designee to draft rules for adoption by the council relating to a requested review or audit. Provides that a certification by the council is valid for a two-year period. Requires the council to decertify a crime stoppers organization if it determines that the organization no longer meets certification requirements. Requires, rather than authorizes, the council to approve a crime stoppers organization for certain purposes even if a judge has not requested a determination for that organization and shall maintain a current list of organizations approved for that purpose. Deletes text regarding an annual audit. Makes conforming changes.

Sec. 414.012. TOLL-FREE TELEPHONE SERVICE. Makes no changes.

SECTION 2. Emergency clause.

Effective date: upon passage.