

BILL ANALYSIS

Senate Research Center
77R15915 JMC-F

C.S.H.B. 1287
By: Thompson (Whitmire)
Criminal Justice
5/10/2001
Committee Report (Substituted)

DIGEST AND PURPOSE

The goal of drug court programs is to keep substance abuse offenders out of state jails and prisons and offer comprehensive rehabilitative services. According to some studies, the recidivism rate for drug court graduates is lower than for offenders placed on parole or probation or in prison. C.S.H.B. 1287 authorizes the commissioners court of a county to establish drug court programs.

RULEMAKING AUTHORITY

Rulemaking authority is expressly granted to the criminal justice division of the office of the governor in SECTION 1 (Section 469.003, Health and Safety Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Title 6(B), Health and Safety Code, by adding Chapter 469, as follows:

CHAPTER 469. DRUG COURT PROGRAMS

Sec. 469.001. DRUG COURT PROGRAM DEFINED. Defines "drug court program."

Sec. 469.002. AUTHORITY TO ESTABLISH PROGRAM. Sets forth provisions regarding the establishment of a drug court program for persons convicted of certain offenses.

Sec. 469.003. OVERSIGHT. Sets forth provisions regarding oversight of the program.

Sec. 469.004. FEES. Authorizes a drug court program to collect certain fees from a participant in a drug court program.

Sec. 469.005. CRIMINAL JUSTICE POLICY STUDY. Requires the Criminal Justice Policy Council to conduct a study of certain issues and to issue the report to certain persons not later than January 15, 2003. Provides that this section expires on June 1, 2003.

Sec. 469.006. PROGRAM IN CERTAIN COUNTIES MANDATORY. Sets forth provisions requiring the authorization of county drug court programs in certain large counties.

Sec. 469.007. USE OF OTHER DRUG AND ALCOHOL AWARENESS PROGRAMS. Authorizes certain persons to utilize awareness programs.

SECTION 2. (a) Requires the commissioners court of a county to establish a drug court program not later than September 1, 2002, except as provided by Subsection (b).

(b) Sets forth criteria regarding funding the county drug court program. Provides that establishment of the program is optional if the county fails to receive federal or state funding specifically for that purpose.

SECTION 3. Effective date: September 1, 2001.

SUMMARY OF COMMITTEE CHANGES

SECTION 1. Amends As Filed H.B. 1287, Title 6(B), Health and Safety Code.

Adds new proposed SECTION 2.

Renumbers SECTION 2 as SECTION 3.