

BILL ANALYSIS

Senate Research Center
77R4643 JMM-D

S.B. 667
By: Van de Putte
Jurisprudence
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DIGEST AND PURPOSE

Currently, a court is authorized to place a person who has failed to pay child support or has been found in contempt of an order of the court on community supervision instead of confinement in jail. There are several authorized requirements related to community supervision, including the payment of all child support arrearages and counseling on financial planning, conflict resolution, and alcohol or drug abuse. The community supervision officer is paid from a fund of the county treasury. As proposed, S.B. 667 adds to the list of authorized requirements participation in mediation or other services to alleviate conditions that prevent the respondent from obeying the court's order, and the seeking of employment assistance services. It also, if the community supervision officer is employed by the domestic relations office, requires that the fees received be deposited in the general fund for the county or the office fund established by the administering entity for the domestic relations office.

RULEMAKING AUTHORITY

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

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 157.211, Family Code, to alter the terms and conditions of the community supervision option to remove the option to require that the respondent report to the corrections department officer and permit the corrections department officer to visit the respondent at the respondent's home or elsewhere. Adds to the authorization the options to require the respondent to seek employment assistance services offered by the Texas Workforce Commission under Section 302.0035 (Employment Assistance Program for Certain Parents), Labor Code, if appropriate, and to require participation in mediation or other services to alleviate conditions that prevent the respondent from obeying the court's order.

SECTION 2. Amends Section 157.213(c), Family Code, to require the court to deposit the fees received under this subchapter: in the special fund of the county treasury provided by the Code of Criminal Procedure to be used for community supervision if the community supervision officer is employed by a community supervision and corrections department; or, as determined by the office's administering entity, in either the general fund for the county in which the domestic relations office is located or the office fund established by the administering entity for the domestic relations office if the community supervision officer is employed by a domestic relations office.

SECTION 3. Amends Section 157.214, Family Code, to authorize a domestic relations office to file a verified motion alleging specifically that certain conduct of the respondent constitutes a violation of the terms and conditions of community supervision.

SECTION 4. Amends Section 302.0035, Labor Code, to provide that a court under Section 157.211, Family Code, can refer a person to the employment assistance program.

SECTION 5. Effective date: September 1, 2001.

Makes application of this Act prospective.