

BILL ANALYSIS

Senate Research Center
80R8427 YDB-D

C.S.S.B. 496
By: Duncan
Jurisprudence
3/8/2007
Committee Report (Substituted)

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Current law restricts the use of the judicial and court training fund to the training of judges and attorneys. C.S.S.B. 496 allows Fund 540, the judicial and court training fund, to be used to train attorneys, judges, law enforcement officers, law students, and other participants in cases of indigent representation. This bill clarifies that the fund may be used to train law students.

RULEMAKING AUTHORITY

Rulemaking authority previously granted to the court of criminal appeals is modified in SECTION 3 (Section 56.006, Government Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 56.003, Government Code, by amending Subsection (a) and adding Subsection (g), as follows:

(a) Prohibits the court of criminal appeals from using more than three percent of appropriated money in any one fiscal year to hire staff and properly administer this chapter (Judicial and Court Personnel Training Fund) unless additional money is specifically appropriated or provided for the purposes of this subsection by the legislature.

(g) Requires the court of criminal appeals to grant legal funds to statewide professional associations and other entities providing innocence training programs relating to defendant's claim of factual innocence following a conviction to law enforcement officers, law students, and other participants.

SECTION 2. Amends Section 56.004(b), Government Code, to make a conforming change.

SECTION 3. Amends Sections 56.006, Government Code, to authorize the court of criminal appeals to adopt rules for programs relating to education and training for law enforcement officers, law students, and other participants.

SECTION 4. Effective date: September 1, 2007.