

BILL ANALYSIS

Senate Research Center
81R3543 SJM-D

S.B. 1066
By: Wentworth
Jurisprudence
3/23/2009
As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

The commissioners court is authorized to approve a program in which a person who serves as a juror or alternate juror in certain enumerated criminal trials involving graphic evidence or testimony can request post-trial psychological counseling.

As proposed, S.B. 1066 authorizes posttrial psychological counseling for a juror or alternate juror in any criminal trial involving graphic evidence or testimony, rather than limiting it to those listed in Article 56.04(f) (relating providing posttrial psychological counseling for a person who serves as a juror or an alternate juror in a criminal trial relating to certain offenses), Code of Criminal Procedure. The bill also authorizes juvenile boards to approve a program that allows posttrial psychological counseling for persons who serve as jurors or alternate jurors in an adjudication hearing involving graphic evidence or testimony.

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 Article 56.04(f), Code of Criminal Procedure, as follows:

(f) Authorizes the commissioners court to approve a program in which the crime victim liaison or victim assistance coordinator is authorized to offer not more than 10 hours of posttrial psychological counseling for a person who serves as a juror or an alternate juror in a criminal trial involving graphic evidence or testimony and who requests the posttrial psychological counseling not later than the 180th day after the date on which the jury in the trial is dismissed. Deletes existing text authorizing posttrial counseling for a person who serves as a juror or alternate juror in a trial of an offense under Section 19.02 (Murder), 19.03 (Capital Murder), 21.11 (Indecency with a Child), 22.011 (Sexual Assault), 22.021 (Aggravated Sexual Assault), 43.05 (Compelling Prostitution), 43.25 (Sexual Performance by a Child), or 43.251 (Employment Harmful to Children), Penal Code.

SECTION 2. Amends the heading to Section 57.003, Family Code, to read as follows:

Sec. 57.003. DUTIES OF JUVENILE BOARD AND VICTIM ASSISTANCE COORDINATOR.

SECTION 3. Amends Section 57.003, Family Code, by adding Subsection (g), as follows:

(g) Authorizes the juvenile board to approve a program in which the victim assistance coordinator is authorized to offer not more than 10 hours of posttrial psychological counseling for a person who serves as a juror or an alternate juror in an adjudication hearing involving graphic evidence or testimony and who requests the posttrial psychological counseling not later than the 180th day after the date on which the jury in the adjudication hearing is dismissed. Authorizes the victim assistance coordinator to provide the counseling using a provider that assists local juvenile justice agencies in providing similar services to victims.

SECTION 4. Makes application of this Act prospective.

SECTION 5. Effective date: September 1, 2009.