

BILL ANALYSIS

Senate Research Center

H.B. 1245
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Jurisprudence
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Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

The Texas Court of Criminal Appeals administers the judicial and court personnel training fund that provides legal education courses, programs, and technical assistance projects to judges, court personnel, prosecuting attorneys and their personnel, and criminal defense attorneys who regularly represent indigent defendants in criminal matters. The list of entities receiving grants from the Judicial and Court Personnel Training Fund includes but is not limited to the Texas Association of Counties, Texas Center for the Judiciary, Texas Council on Family Violence, and Texas District and County Attorneys Association, Texas Justice Court Training Center, Texas Municipal Courts Education Center, Center for American and International Law, Texas District Court Alliance, and the Texas Criminal Defense Lawyers Association.

Currently, prosecuting attorneys and their personnel as well as court personnel at all court levels may participate in trainings administered by the fund. However, the personnel of criminal defense attorneys are not included under statute as being able to participate. H.B. 1245 provides clarification to the statute stipulating that personnel of criminal defense attorneys who regularly represent indigent defendants are allowed to participate in trainings funded through the judicial and court personnel training fund.

H.B. 1245 amends current law relating to the allocation of money in the judicial and court personnel training fund.

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 56.004, Government Code, by amending Subsection (b) and adding Subsection (c), as follows:

(b) Requires the legislature to appropriate funds from the judicial and court personnel training fund to the court of criminal appeals to provide for:

(1) continuing legal education, technical assistance, and other support programs for prosecuting attorneys and their personnel, criminal defense attorneys who regularly represent indigent defendants in criminal matters and their personnel, and justices of the peace and their court personnel; and

(2) innocence training programs for law enforcement officers, law students, and other participants.

(c) Requires that an allocation of funds to provide for continuing legal education, technical assistance, and other support programs for the personnel of criminal defense attorneys who regularly represent indigent defendants in criminal matters as described by Subsection (b)(1) come from the grant of legal funds made by the court of criminal appeals under Section 56.003(f) (relating to requiring the court of criminal appeals to grant legal funds to statewide professional associations of prosecuting attorneys, criminal

defense attorneys who regularly represent indigent defendants in criminal matters, and justices of the peace, and other entities; and requiring the association's or entity's purposes to include providing continuing legal education, technical assistance, and other support programs).

SECTION 2. Effective date: September 1, 2014.