

1-1 By: Garcia S.B. No. 1474  
 1-2 (In the Senate - Filed March 12, 2015; March 19, 2015, read  
 1-3 first time and referred to Committee on Criminal Justice;  
 1-4 April 20, 2015, reported adversely, with favorable Committee  
 1-5 Substitute by the following vote: Yeas 6, Nays 0; April 20, 2015,  
 1-6 sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8				
1-9	X			
1-10	X			
1-11	X			
1-12	X			
1-13	X			
1-14	X			
1-15			X	

1-16 COMMITTEE SUBSTITUTE FOR S.B. No. 1474 By: Menéndez

1-17 A BILL TO BE ENTITLED  
 1-18 AN ACT

1-19 relating to the eligibility for participation in veterans court  
 1-20 programs.

1-21 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-22 SECTION 1. Section 124.002, Government Code, is amended by  
 1-23 amending Subsection (a) and adding Subsection (d) to read as  
 1-24 follows:

1-25 (a) The commissioners court of a county may establish a  
 1-26 veterans court program for persons arrested for or charged with any  
 1-27 misdemeanor or felony offense. A defendant is eligible to  
 1-28 participate in a veterans court program established under this  
 1-29 chapter only if the attorney representing the state consents to the  
 1-30 defendant's participation in the program and if the court in which  
 1-31 the criminal case is pending finds that the defendant~~+~~

1-32 ~~[(1)]~~ is a veteran or current member of the United  
 1-33 States armed forces, including a member of the reserves, national  
 1-34 guard, or state guard, who:

1-35 (1) ~~[, and (2)]~~ suffers from a brain injury, mental  
 1-36 illness, or mental disorder, including post-traumatic stress  
 1-37 disorder, or was a victim of military sexual trauma that:

1-38 (A) occurred during or resulted from the  
 1-39 defendant's military service [in a combat zone or other similar  
 1-40 hazardous duty area]; and

1-41 (B) ~~[materially]~~ affected the defendant's  
 1-42 criminal conduct at issue in the case; or

1-43 (2) is a defendant whose participation in a veterans  
 1-44 court program, considering the circumstances of the defendant's  
 1-45 conduct, personal and social background, and criminal history, is  
 1-46 likely to achieve the objective of ensuring public safety through  
 1-47 rehabilitation of the veteran in the manner provided by Section  
 1-48 1.02(1), Penal Code.

1-49 (d) In this section, "military sexual trauma" means a brain  
 1-50 injury, mental illness, or mental disorder that, in the opinion of a  
 1-51 mental health professional, resulted from a physical assault of a  
 1-52 sexual nature, a battery of a sexual nature, or an instance of  
 1-53 sexual harassment that occurred while the veteran was serving on  
 1-54 active duty, active duty for training, or inactive duty training.

1-55 SECTION 2. This Act takes effect September 1, 2015.

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