

1-1 By: Gutierrez (Senate Sponsor - Menéndez) H.B. No. 3529
 1-2 (In the Senate - Received from the House May 2, 2019;
 1-3 May 8, 2019, read first time and referred to Committee on Criminal
 1-4 Justice; May 15, 2019, reported favorably by the following vote:
 1-5 Yeas 6, Nays 0; May 15, 2019, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7				
1-8	X			
1-9	X			
1-10	X			
1-11	X			
1-12			X	
1-13	X			
1-14	X			

1-15 A BILL TO BE ENTITLED
 1-16 AN ACT

1-17 relating to the creation of a family violence pretrial diversion
 1-18 pilot program in Bexar County.

1-19 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-20 SECTION 1. Chapter 509, Government Code, is amended by
 1-21 adding Section 509.018 to read as follows:

1-22 Sec. 509.018. FAMILY VIOLENCE PRETRIAL DIVERSION PILOT
 1-23 PROGRAM. (a) In this section, "family violence" has the meaning
 1-24 assigned by Section 71.004, Family Code.

1-25 (b) To reduce rates of family violence recidivism, the
 1-26 division shall collaborate with judges in Bexar County who have
 1-27 jurisdiction over cases involving family violence to establish a
 1-28 family violence pretrial diversion pilot program for individuals
 1-29 who are charged with an offense involving family violence and who
 1-30 suffer from a substance abuse disorder or chemical dependency.

1-31 (c) The pretrial diversion pilot program developed under
 1-32 this section shall include:

1-33 (1) assessment instruments to accurately analyze the
 1-34 needs of pilot program participants;

1-35 (2) a comprehensive substance abuse disorder and
 1-36 chemical dependency treatment program that includes case managers,
 1-37 clinicians, peer mentors, or recovery coaches;

1-38 (3) in collaboration with law enforcement agencies, a
 1-39 procedure to rapidly respond to pilot program participants who fail
 1-40 to comply with pilot program requirements, including, when
 1-41 appropriate, immediate removal from the pilot program; and

1-42 (4) the use of a video teleconferencing system in
 1-43 court to facilitate the cooperation of witnesses in the criminal
 1-44 justice system and to reduce costs associated with transporting
 1-45 defendants.

1-46 (d) The division shall review the pilot program established
 1-47 under this section and submit a report to the governor, the
 1-48 lieutenant governor, the speaker of the house of representatives,
 1-49 and the legislature not later than December 1 of each even-numbered
 1-50 year. The report must include:

1-51 (1) a summary of the status and results of the pilot
 1-52 program;

1-53 (2) an analysis of the effectiveness of the pilot
 1-54 program in reducing the rate of family violence recidivism among
 1-55 individuals charged with an offense involving family violence and
 1-56 suffering from a substance abuse disorder or chemical dependency;

1-57 (3) sources of funding available to extend the pilot
 1-58 program to other counties or for a longer period of time, including
 1-59 available local, state, and federal funding sources; and

1-60 (4) any legislative or other recommendations.

1-61 (e) This section expires September 1, 2023.

2-1 SECTION 2. This Act takes effect immediately if it receives
2-2 a vote of two-thirds of all the members elected to each house, as
2-3 provided by Section 39, Article III, Texas Constitution. If this
2-4 Act does not receive the vote necessary for immediate effect, this
2-5 Act takes effect September 1, 2019.

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