

BILL ANALYSIS

Senate Research Center

S.B. 553
By: Duncan
Criminal Justice
2/13/2001
As Filed

DIGEST AND PURPOSE

Currently, evaluations of a criminal defendant's competency to stand trial vary greatly throughout the state, which leads to an equal protection problem. As proposed, S.B. 553 establishes a task force to review the methods and procedures used to evaluate a criminal defendant's competency to stand trial and the use of insanity defense.

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. Provides that a task force is established to review the methods and procedures used to evaluate a criminal defendant's competency to stand trial and use of the insanity defense and to submit a report to the 78th Legislature. Provides that the task force serves in an advisory capacity and is composed of 15 certain members. Provides that initial appointments to the task force must be made not later than December 31, 2001. Requires the task force to elect a presiding officer from its members at its first meeting. Requires the task force to meet at least four times each year and it is authorized to meet at other times at the call of the presiding officer. Requires the Texas Council on Offenders with Mental Impairments to perform the administrative functions of the task force. Provides that the task force is not subject to Chapter 2110 (State Agency Advisory Committees), Government Code, and prohibits a member of the task force from receiving compensation but is entitled to reimbursement of the travel expenses incurred by the member while conducting task force business, as provided in the General Appropriations Act. Requires the task force, in conducting its review of the methods and procedures used to evaluate a criminal defendant's competency to stand trial and use of the insanity defense, to perform certain tasks. Authorizes the task force to take other action it considers necessary or advisable to conduct an effective review. Requires the task force to submit a report based on its findings to the legislature not later than December 31, 2002, and to submit to the legislature specific recommendations for legislation, as part of its report. Provides that this Act expires and the task force established under this Act is abolished February 1, 2003.

SECTION 2. Effective date: upon passage or September 1, 2001.