

## BILL ANALYSIS

Senate Research Center

H.B. 3529  
By: Gutierrez (Menéndez)  
Criminal Justice  
5/12/2019  
Engrossed

### AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

H.B. 3529 amends current law relating to the creation of a family violence pretrial diversion pilot program in Bexar County.

### 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 Chapter 509, Government Code, by adding Section 509.018, as follows:

Sec. 509.018. FAMILY VIOLENCE PRETRIAL DIVERSION PILOT PROGRAM. (a) Defines "family violence" for purposes of this section.

(b) Requires the Community Justice Assistance Division (division), to reduce rates of family violence recidivism, to collaborate with judges in Bexar County who have jurisdiction over cases involving family violence to establish a family violence pretrial diversion pilot program for individuals who are charged with an offense involving family violence and who suffer from a substance abuse disorder or chemical dependency.

(c) Requires the pretrial diversion pilot program developed under this section to include:

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

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

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

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

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

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

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

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

(4) any legislative or other recommendations.

(e) Provides that this section expires September 1, 2023.

SECTION 2. Effective date: upon passage or September 1, 2019.