

BILL ANALYSIS

Senate Research Center
87R2089 GCB-F

H.B. 454
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Criminal Justice
4/30/2021
Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Reports indicate the successful implementation in recent years of veterans treatment courts, which provide veterans with substance abuse issues another avenue to address their addiction outside of the prison system. H.B. 454 seeks to extend this flexibility to address addiction in individuals who reside with a child who has been the subject of a juvenile court case.

H.B. 454 amends current law relating to the creation of a specialty treatment court for certain individuals residing with a child who is the subject of a juvenile court case.

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 Subtitle K, Title 2, Government Code, by adding Chapter 130, as follows:

CHAPTER 130. JUVENILE FAMILY DRUG COURT PROGRAM

Sec. 130.001. JUVENILE FAMILY DRUG COURT PROGRAM DEFINED. Defines "juvenile family drug court program" as a program that has the following essential characteristics:

- (1) the integration of substance abuse treatment services in the processing of cases and proceedings under Title 3 (Juvenile Justice Code), Family Code;
- (2) the use of a comprehensive case management approach involving court-appointed case managers and court-appointed special advocates to rehabilitate an individual who is suspected of substance abuse and who resides with a child who is the subject of a case filed under Title 3, Family Code;
- (3) early identification and prompt placement of eligible individuals who volunteer to participate in the program;
- (4) comprehensive substance abuse needs assessment and referrals to appropriate substance abuse treatment agencies for participants;
- (5) a progressive treatment approach with specific requirements for participants to meet for successful completion of the program;
- (6) monitoring of abstinence through periodic screening for alcohol or screening for controlled substances;
- (7) ongoing judicial interaction with program participants;
- (8) monitoring and evaluation of program goals and effectiveness;

(9) continuing interdisciplinary education for the promotion of effective program planning, implementation, and operation; and

(10) development of partnerships with public agencies and community organizations.

Sec. 130.002. **AUTHORITY TO ESTABLISH PROGRAM.** Authorizes the commissioners court of a county to establish a juvenile family drug court program for individuals who are suspected by the Department of Family and Protective Services or the court of having a substance abuse problem, and who reside in the home of a child who is the subject of a case filed under Title 3, Family Code.

Sec. 130.003. **PARTICIPANT PAYMENT FOR TREATMENT AND SERVICES.** Authorizes a juvenile family drug court program to require a participant to pay the cost of all treatment and services received while participating in the program, based on the participant's ability to pay.

Sec. 130.004. **FUNDING.** Requires a county that creates a juvenile family drug court under this chapter to explore the possibility of using court improvement project money to finance the juvenile family drug court in the county. Requires the county also to explore the availability of federal and state matching money to finance the court.

SECTION 2. Effective date: September 1, 2021.