

BILL ANALYSIS

C.S.H.B. 1531
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Judiciary & Civil Jurisprudence
Committee Report (Substituted)

BACKGROUND AND PURPOSE

It has been suggested that some sexual assault victims do not assist prosecutors due to safety concerns and the chance of being retraumatized in the process. C.S.H.B. 1531 seeks to provide for specialized court programs to handle the sensitive nature of these cases and allow prosecutors to pursue justice.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

C.S.H.B. 1531 amends the Government Code to authorize the commissioners court of a county to establish a sexual assault victim services court program for participants who are victims of an alleged sexual assault in which a person is arrested for or charged with a sexual offense or an assaultive offense. The bill authorizes a local administrative judge, for the courts that the judge serves in that role, to designate a court in the county for assignment of such cases. The bill requires the judge of the court to have experience hearing sexual assault cases and requires the prosecuting attorney for the court to have experience in prosecuting sexual assault offenses. The bill prescribes certain essential characteristics of a sexual assault victim services court program.

C.S.H.B. 1531 requires a sexual assault victim services court program to ensure that a victim eligible for participation in the program volunteers to proceed through the program and requires the program to allow a participant to withdraw from the program at any time. The bill requires such a program to make, establish, and publish local procedures to ensure maximum participation of eligible victims in the county. The bill authorizes a county to accept a gift, grant, donation, or bequest of money, services, equipment, goods, or other tangible or intangible property from any source for the program.

EFFECTIVE DATE

September 1, 2019.

COMPARISON OF ORIGINAL AND SUBSTITUTE

While C.S.H.B. 1531 may differ from the original in minor or nonsubstantive ways, the following summarizes the substantial differences between the introduced and committee

substitute versions of the bill.

The substitute revises certain of the essential characteristics of a sexual assault victim services court program and adds the following as such:

- prosecution of sexual assault offenses;
- issuance of orders of protection to victims; and
- continued monitoring of sexual assault defendants.

The substitute includes a requirement for the judge of a court assigned cases under such a program to have experience hearing sexual assault cases.