

BILL ANALYSIS

H.B. 408
By: Metcalf
Corrections
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Current law authorizes the formation and operation of a veterans treatment court program in any county or in a county serving multiple counties through a regional program. In a county with a veterans treatment court, a veteran's criminal case may be transferred to a veterans treatment court program serving that same county. However, since criminal charges are not always incurred in a veteran's home county, there is a need for court attendance and treatment options to be more accessible so that veterans in these programs do not have to spend a lot of time and money traveling to locations far from where they work or live. While previous legislation enacted by the 84th Legislature sought to expand that access, there have been calls to allow additional flexibility for situations in which a veteran's home county does not accept case transfers. H.B. 408 seeks to address this issue by authorizing the transfer of a case to a veterans treatment court program that is located in a county adjacent to the county in which the veteran works or resides.

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

H.B. 408 amends the Government Code to provide an option for certain defendants to participate in a veterans treatment court program in a county adjacent to the county where the defendant works or resides by doing the following:

- authorizing a veterans treatment court program that accepts placement of a defendant to transfer responsibility for supervising the defendant's participation in the program to another veterans treatment court program located in such an adjacent county; and
- authorizing the placement of an eligible defendant in a veterans treatment court program located in such an adjacent county if the county in which the defendant is charged does not operate a veterans treatment court program.

EFFECTIVE DATE

On passage, or, if the bill does not receive the necessary vote, September 1, 2021.