

(The House considered SB 1811 by Duncan, the Senate companion bill, in lieu of HB 4708, the House version of the bill, which had been set on the daily calendar and was analyzed by the House Research Organization. The bill subsequently was enacted as SB 1811.)

HOUSE
RESEARCH

ORGANIZATION bill analysis

5/2/2009

HB 4708
Hardcastle

SUBJECT: Establishing the 39th Judicial District Juvenile Board

COMMITTEE: Corrections — favorable, without amendment

VOTE: 9 ayes — McReynolds, Madden, Hodge, Kolkhorst, Marquez, Martinez, S. Miller, Ortiz, Sheffield

0 nays

2 absent — Dutton, England

WITNESSES: For — Shane Hadaway, 39th District Court, Haskell, Kent, Stonewall, and Throckmorton counties; (*Registered, but did not testify*: Michael Fouts, 39th Judicial District Attorney's Office)

Against — None

BACKGROUND: Under the Human Resources Code, ch. 152, Texas counties have juvenile boards that establish a juvenile probation department, employ a chief probation officer, adopt a budget and establish policies, including financial policies, for juvenile services within the jurisdiction of the board. The juvenile boards of two or more neighboring counties may agree to operate together. Some counties have more formal compacts established in statute. The 50th Judicial District Juvenile Board, established by the Human Resources Code, sec. 152.0181, is composed of Baylor, Cottle, King, and Knox counties. Sec. 152.0181 establishes membership, and cost sharing rules and allows constituent counties some freedom to set compensation and reimbursement rates.

DIGEST: HB 4708 would amend the Human Resources Code, sec. 152.1101, to establish the 39th Judicial District Juvenile Board, which would encompass the member counties of the 39th Judicial District: Haskell, Kent, Stonewall, and Throckmorton counties. The membership of the board would include the county judge of each county and the 39th Judicial District judge. The juvenile court judge would be allowed appoint and

establish the term for two public members of the board. The commissioners court of each county would pay the county judge of that county and the 39th Judicial District Judge annual compensation of not more than \$6,000 for the added duties imposed on the judges by their service on the board.

If approved by the juvenile board, the commissioners court would reimburse the juvenile court judge for the judge's educational or other expenses related to juvenile problems. The counties also would prorate the expenses allowed for the members of the juvenile board and for the juvenile court judge, and would jointly provide funds for juvenile probation personnel and officers in the amount set by the juvenile board.

HB 4708 would make conforming changes in the Human Resources Code to reflect the establishment of the 39th Judicial District Juvenile Board.

The bill would take effect on September 1, 2009.

**SUPPORTERS
SAY:**

HB 4708 would formalize in statute the longstanding practice of the county judges of Haskell, Kent, Stonewall, and Throckmorton counties and of the 39th District Court judge, who have been acting as a multi-county juvenile board for years with great success and efficiency. This inter-local cooperation has saved each county time and expenses and formalization in statute will ensure that they continue to do so.

The counties could afford the supplemental pay range that would be authorized by HB 4708. The counties would budget what was appropriate and what their revenue would allow. Each county has passed a resolution in support of HB 4708 and anticipate including spending for the board in their budgets. For service, the county judge of each county already receives an extra \$60 a month, and the district court judge receives \$60 from each county. This permissive range would give the counties flexibility to raise the supplements in case there is an increase in the work load of the commission members. This range will allow the counties to make adjustments as necessary without requiring a statutory change each time the supplement needed to be increased. HB 4708 would allow the counties the flexibility needed to continue to realize the efficiencies the inter-county program brings.

OPPONENTS

Rural counties operate on extremely tight budgets. HB 4708 would require

SAY: Kent, Stonewall, Haskell, and Throckmorton counties to budget additional funds to pay their county judges and the judge of the 39th district court supplements for their service on the 39th Judicial District Juvenile Board.

NOTES: The companion bill, SB 1811 by Duncan, passed the Senate by 30-0 on April 23 on the Local and Uncontested Calendar and has been referred to the House Corrections Committee.