

BILL ANALYSIS

Senate Research Center
76R10798 DAK-D

H.B. 2871
By: Capelo (Armbrister)
Criminal Justice
5/13/1999
Engrossed

DIGEST

Currently, the Texas Juvenile Probation Commission (TJPC) has the statutory authority, under Section 141.086, Human Resources Code, to distribute \$37.5million in general obligation bonds for the purpose of providing state aid to a county to acquire, construct, and equip postadjudication residential or day-treatment centers. This statute also delineates the specific parameters and requirements of the bond construction projects, the structure of the awards, and the role that TJPC plays. In 1997, the 75th Texas Legislature appropriated funds to TJPC to assist counties with startup and operational costs for the new bond facilities. In the four years since the enactment of Section 141.086, Human Resources Code, Subsections (g) through (k) have become vague, or are now in conflict. H.B. 2871 amends Section 141.086, Human Resources Code to specify that the operating costs of the facility under this section be reimbursed, rather than appropriated, by the commission, and that the annual audit of the operating costs under this section be for a fiscal year for which funds are appropriated unless the county in which the facility is located has conducted an annual audit. H.B. 2871 also deletes text requiring that a facility constructed under this section be operated entirely by the county using the facility on and after September 1, 1999.

PURPOSE

As proposed, H.B. 2871 revises regulations regarding the funding and construction of post-adjudication facilities for certain children.

RULEMAKING AUTHORITY

This bill does not grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Sections 141.086 (g)-(k), Human Resources Code, as follows:

(g) Deletes Subdivision (1). Adds language to specify that a percentage of the funds be reimbursed, rather than appropriated, by the Texas Juvenile Probation Commission. Deletes reference to the 1998 and 1999 fiscal year. Makes conforming changes.

(h) Makes a conforming change.

(i) Deletes existing Subsection (i) requiring that a facility constructed under this section be operated entirely by the county using the facility on and after September 1, 1999. Redesignates existing Subsection (j) to Subsection (i). Specifies that this subsection applies to each fiscal year for which funds are appropriated unless the county in which the facility is located has conducted an annual audit. Makes conforming changes.

(j) Redesignates existing Subsection (k) to Subsection (j).

SECTION 2. Effective date: September 1, 1999.

SECTION 3. Emergency clause.