

BILL ANALYSIS

Senate Research Center
85R23520 CAE-F

H.B. 4280
By: Lambert (Perry)
Criminal Justice
5/12/2017
Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Interested parties contend that the manner in which the 32nd Judicial District Juvenile Board currently operates is inconsistent with the manner in which similar juvenile boards operate. H.B. 4280 seeks to better meet the judicial needs of the district's area by clarifying the operation, administration, and composition of the 32nd Judicial District Juvenile Board.

H.B. 4280 amends current law relating to the 32nd Judicial District Juvenile Board.

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 Sections 152.0821(a) and (b), Human Resources Code, as follows:

(a) Provides that Fisher County is included in the 32nd Judicial District Juvenile Board, rather than Fisher, Mitchell, and Nolan counties juvenile board. Deletes existing text setting forth the composition of the Fisher, Mitchell, and Nolan counties juvenile board.

(b) Provides that Section 152.1831 (Nolan County) applies to the 32nd Judicial District Juvenile Board. Deletes existing text providing that the chairman of the board is the county judge appointed under Subsection (a)(1), and that the chairman presides at meetings scheduled by the board.

SECTION 2. Amends Sections 152.1741(a) and (b), Human Resources Code, as follows:

(a) Provides that Mitchell County is included in the 32nd Judicial District Juvenile Board. Deletes existing text providing that Mitchell County is included in the Fisher, Mitchell, and Nolan counties juvenile board. Deletes existing text setting forth the composition of the Fisher, Mitchell, and Nolan counties juvenile board.

(b) Provides that Section 152.1831 applies to the 32nd Judicial District Juvenile Board. Deletes existing text providing that the chairman of the board is the county judge appointed under Subsection (a)(1). Deletes existing text providing that the chairman presides at meetings scheduled by the board.

SECTION 3. Amends Section 152.1831, Human Resources Code, by amending Subsections (a), (b), (c), (d), and (g) and adding Subsection (h), as follows:

(a) Provides that Nolan County is included in the 32nd Judicial District Juvenile Board, rather than Fisher, Mitchell, and Nolan counties juvenile board. Provides that the juvenile board is composed of the county judges, statutory county judges, and district judges in Fisher, Mitchell, and Nolan counties. Deletes existing text setting forth the composition of the Fisher, Mitchell, and Nolan counties juvenile board.

(b) Requires the juvenile board to elect one of the members as chairman. Deletes existing text providing that the chairman of the board is the county judge appointed under Subsection (a)(1) and that the chairman presides at meetings scheduled by the board.

(c) Authorizes the commissioners courts of the counties to pay the members of the juvenile board an annual supplemental compensation from the general fund or any other available fund of the counties. Deletes existing text providing that the appointed members serve without compensation and that each member serves a two-year term.

(d) Requires the juvenile board to hold regular meetings on dates set by the board and special meetings at the call of the chairman. Deletes existing text authorizing the Nolan County Commissioners Court, the Sweetwater City Commission, and the board of trustees of the Sweetwater Independent School District to agree to provide the funds for the salaries of the personnel assigned to Nolan County and the other expenses the board chairman certifies as necessary to provide adequate juvenile services to Nolan County. Deletes existing text requiring the commissioners court, city council, and board of trustees to each provide one-third of the funds.

(g) Requires the juvenile board to designate the treasurer or auditor of Fisher County, Mitchell County, or Nolan County to serve as the board's fiscal officer. Deletes existing text authorizing the board member appointed by the Sweetwater Independent School District under Subsection (a)(5) to be appointed only if that school district agrees to provide funds for the salaries of the personnel assigned to Nolan County and other expenses the board chairman certifies as necessary to provide adequate juvenile services to Nolan County as provided by Subsection (d).

(h) Requires the juvenile board to appoint an advisory council composed of one person from each county.

SECTION 4. (1) Repealers: Sections 152.0821(c) (relating to the appointed members serving a without compensation and for a two-year term), (d) (relating to requiring the Fisher County Commissioners Court to pay from the county general fund the salaries of the personnel assigned to Fisher County), (e) (relating to certain sections not applying to the juvenile board in Fisher, Mitchell, and Nolan Counties), (f) (relating to authorizing the board member appointed by the Sweetwater City Commission to be appointed only if the City of Sweetwater agrees to provide funds for the salaries of certain personnel), and (g) (relating to authorizing a board member appointed by the Sweetwater Independent School District to be appointed only if that school district agrees to provide funds for the salaries of certain personnel), Human Resources Code;

(2) Repealers: Sections 152.1741(c) (relating to the appointed members serving without compensation and for a two-year term), (d) (relating to requiring the Fisher County Commissioners Court to pay from the county general fund the salaries of the personnel assigned to Fisher County), (e) (relating to certain sections not applying to the juvenile board in Fisher, Mitchell, and Nolan Counties), (f) (relating to authorizing the board member appointed by the Sweetwater City Commission to be appointed only if the City of Sweetwater agrees to provide funds for the salaries of certain personnel), and (g) (relating to authorizing a board member appointed by the Sweetwater Independent School District to be appointed only if that school district agrees to provide funds for the salaries of certain personnel); and

(3) Section 152.1831(f) (relating to authorizing the board member appointed by the Sweetwater City Commission to be appointed only if the City of Sweetwater agrees to provide funds for the salaries of certain personnel).

SECTION 5. Effective date: October 1, 2017.