

BILL ANALYSIS

Senate Research Center
87R7718 JRR-D

H.B. 1906
By: Herrero et al. (Alvarado)
Jurisprudence
5/18/2021
Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Evidence has shown that victims of domestic violence face a great risk of harm when leaving or separating from a batterer. The use of GPS technology can help keep survivors safe while the defendant is free on bond. Costs associated with GPS monitoring are paid for by the defendant, unless the defendant is indigent, in which case the costs fall upon the applicable county. Providing a way to alleviate the costs of GPS monitoring to counties would encourage the use of this technology to help deter future violence.

H.B. 1906 amends the Government Code to require the criminal justice division of the governor's office to establish and administer a grant program to reimburse counties for the costs incurred as a result of GPS monitoring in cases involving family violence. This program limits the use of funds by a grant recipient to monitoring conducted for the purpose of restoring a measure of security and safety to a family violence victim.

H.B. 1906 requires the criminal justice division to include detailed reporting of the grant program's results and performance in its biennial report to the legislature and authorizes the criminal justice division to use any revenue available for purposes of the grant program.

H.B. 1906 amends current law relating to grants awarded to reimburse counties for the cost of monitoring defendants and victims in criminal cases involving family violence.

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 Subchapter A, Chapter 772, Government Code, by adding Section 772.0077, as follows:

Sec. 772.0077. GRANT PROGRAM FOR MONITORING DEFENDANTS AND VICTIMS IN FAMILY VIOLENCE CASES. (a) Defines "criminal justice division" and "family violence."

(b) Requires the criminal justice division to establish and administer a grant program to reimburse counties for all or part of the costs incurred by counties as a result of monitoring in cases involving family violence defendants and victims who participate in a global positioning monitoring system under Article 17.292 (Magistrate's Order for Emergency Protection) or 17.49 (Conditions for Defendant Charged with Offense Involving Family Violence), Code of Criminal Procedure. Authorizes a grant recipient to use funds from a grant awarded under the program only for monitoring conducted for the purpose of restoring a measure of security and safety for a victim of family violence.

(c) Requires the criminal justice division to establish additional eligibility criteria for grant applicants, grant application procedures, guidelines relating to grant amounts, procedures for evaluating grant applications, and procedures for

monitoring the use of a grant awarded under the program and ensuring compliance with any conditions of a grant.

(d) Requires the criminal justice division to include in the biennial report required by Section 772.006(a)(9) (relating to requiring the governor to establish a criminal justice division in the governor's office to submit a biennial report to the legislature reporting certain division activities) a detailed reporting of the results and performance of the grant program administered under this section.

(e) Authorizes the criminal justice division to use any revenue available for purposes of this section.

SECTION 2. Effective date: upon passage or September 1, 2021.