

# Interim Committee Charges – 83<sup>rd</sup> Legislature

## Charges Related to the Judiciary

### House of Representatives

#### *Committee on Corrections*

3. In the area of Juvenile Justice, analyze and make recommendations on outcome-based financing models that allow the state to partner with private investors and innovative service providers willing to cover the upfront costs and assume performance risk to divert youths into cost-effective programs and interventions, while assuring that taxpayers will not pay for the programs unless the programs demonstrate success in achieving the desired outcomes.
4. **Study the impact of SB 393 (83R) and SB 1114 (83R). Assess the impact of school discipline and school-based policing on referrals to the municipal, justice, and juvenile courts, and identify judicial policies or initiatives designed to reduce referrals without having a negative impact on school safety. (Joint charge with the Committee on Public Education).**

#### *Committee on County Affairs*

2. Continue oversight of the Texas Commission on Jail Standards and issues jails currently face, **including the mental health of those in jail**, and make recommendations for refinement or improvement of processes and programs.
4. Determine which counties have implemented a cite-and-summons policy, whether the policy has been effective in lessening overcrowding in county jails, and whether those cited by peace officers comply with the policy.
5. **Study the implementation of SB 462 (83R). Examine which counties currently have veterans courts, as well as veterans courts in other states, and determine how those programs are working and whether these courts provide additional services or resources for veterans. Make appropriate recommendations. (Joint charge with the House Committee on Defense and Veterans' Affairs)**

#### *Committee on Criminal Jurisprudence*

1. Study the classification of 17-year-olds as adults in the criminal justice system of Texas.
2. Study the effectiveness of deferred adjudication and orders for non-disclosure in spite of the many exceptions to the statute. Study extending the use of expunction of criminal records history and non-disclosures to certain qualified individuals with low-level, non-violent convictions. Examine the statutorily allowed but underused non-disclosure and expunction of criminal records, and the use of deferred adjudication.
3. Study the impact of SB 1289 (83R). Examine the sale of criminal histories that may be erroneous as well as the lasting impact that arrest records have on individuals who are arrested but not charged or convicted. Assess the need for revision of existing statutes and consider designating an agency responsible for regulating entities involved in the industry.
4. Examine the association between co-occurring serious mental illness and substance use disorders and parole revocation among inmates from the Texas Department of Criminal Justice. Review current policies and procedures for incarcerating individuals with a dual mental health diagnosis in both state and county correctional facilities and examine potential remedies within the State's criminal justice system to ensure that the public is protected and that individuals with a mental

health diagnosis receive a continuum of mental health services. *(Joint charge with the House Committee on Corrections)*

5. Examine the current pecuniary loss thresholds associated with graffiti offenses. Study the costs of enhancing the penalties associated with the offense of graffiti, as well as a study of pretrial diversion programs that exist in other states and are specific to persons convicted of graffiti offenses. Study the existing Graffiti Abatement Programs in Texas.
6. Evaluate the approximately 1,500 non-traditional criminal offenses that can be found outside of the Penal Code. Study the feasibility of streamlining these offenses and examine ambiguities in the law. Study the existing use of the Rule of Lenity and Mens Rea requirements in Texas and the benefit of codifying both of these standards.
7. Examine the utilization of community supervision in state jail felonies and the effectiveness of the state jail in light of its original purpose.

#### *Committee on Energy Resources*

1. Study the impact of the expanding oil and gas exploration and production occurring across the state. Included in the study should be both the positive impacts of the exploration and production as well as the new challenges they are presenting.

#### *Committee on Government Efficiency and Reform*

4. Examine the public's accessibility to government services and agencies through the use of mobile applications and online services. *(Joint charge with the House Committee on Technology)*

#### *Committee on Higher Education*

4. Former foster youth have the benefit of free tuition and fees if they enroll in higher education, yet very few take advantage of this opportunity. Consider new strategies to support these youth and make recommendations to enroll and retain more foster youth in higher education. *(Joint charge with the House Committee on Human Services)*

#### *Committee on Homeland Security and Public Safety*

4. Review the Driver Responsibility Program and consider methods for overall improvement of the program.

#### *Committee on Human Services*

1. Examine crisis resources for individuals with co-occurring mental illness and intellectual/developmental disabilities. Identify strategies to serve individuals with complex behavioral and medical needs in the community.
2. Monitor the implementation of Foster Care Redesign. Evaluate its impact on the child welfare system in areas of the state where redesign is underway, including transition from the legacy system, foster family retention and recruitment, placement stability, permanency, and child safety.

### *Committee on Judiciary and Civil Jurisprudence*

1. **Examine the constitutional qualifications and term lengths for appellate court judges, and consider whether changes would benefit the public and the judiciary.**
2. Study the potential issues involving civil liability for interacting with ex-offenders. In particular, examine the implications of HB 1188 (83R) and the potential expansion of similar protections to landlords.
3. **Review the methods used by state agencies and courts to prepare and publish electronic legal materials. Examine the processes used to ensure reliability and permanence of these materials and strategies used to harmonize those processes with national standards, including possible adoption of the Uniform Electronic Legal Materials Act.**
4. **Study issues that inhibit the use of wills and access to the probate process in Texas, particularly for low-income individuals.**
5. Examine the public policy implications of litigation related to environmental contamination brought by local governments, in particular whether such litigation supports effective remediation.
6. **Study the issue of whether Regional Presiding Judges should be appointed by the Chief Justice rather than the Governor.**

### *Committee on Ways and Means*

4. Review the current process for resolving contested cases involving state taxes and fees. Examine the need for the creation of an alternative, independent review process to hear and decide such cases.

## Senate

### *Government Organization Committee*

1. Examine state agencies' mandated reporting practices, the necessity and utility of these reports, and reporting processes to the legislature and to the public. Make recommendations on eliminating unnecessary and duplicative reports, reducing state costs through the use of technology, and improving transparency to the legislature and citizens.

### *Health and Human Services Committee*

1. Monitor the implementation of programs that were created or expanded by the 83<sup>rd</sup> Legislature to improve mental health and substance abuse services and assess these efforts' contribution to improved outcomes such as reduced recidivism in state hospitals, diversion from emergency rooms and county jails, and access to permanent supportive housing. Identify and address gaps in the current mental health and substance abuse system and make recommendations to better coordinate services across agencies and programs.

### *Criminal Justice Committee*

1. Review cases involving the imposition of probation rather than imprisonment or commitment for adult and juvenile intoxication manslaughter offenders. Make recommendations to ensure that intoxication manslaughter sentences include appropriate punishment levels, maintain public safety, and serve to deter driving under the influence.

