Chapter 738

1

S.B. No. 1214

2	relating to a succession plan for a regional public defender's
3	office that primarily handles capital cases.
4	BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:
5	SECTION 1. Subchapter C, Chapter 79, Government Code, is
6	amended by adding Section 79.042 to read as follows:
7	Sec. 79.042. SUCCESSION PLAN FOR CERTAIN PUBLIC DEFENDERS'
8	OFFICES. (a) In this section, "governmental entity" has the
9	meaning assigned by Article 26.044, Code of Criminal Procedure.
10	(b) As a condition of a grant awarded by the commission to a
11	regional public defender's office that primarily handles capital
12	cases, the commission may establish for the public defender's
13	office a succession plan to take effect only if the commissioners
14	court of the county in which the central administrative office of
15	the public defender's office is located ceases for any reason to be
16	a party to the agreement creating or designating the public
17	defender's office.
18	(c) A succession plan established under Subsection (b) may:
19	(1) authorize the commission to designate a
20	governmental entity to administer the regional public defender's
21	office;
22	(2) require the governmental entity designated under
23	Subdivision (1) to establish an oversight board for the regional
24	public defender's office under Article 26.045, Code of Criminal
	<u> </u>

AN ACT

S.B. No. 1214

- 1 Procedure; and
- 2 (3) require the regional public defender's office to
- 3 comply with any rules adopted by the commission for the
- 4 <u>administration of the public defender's office.</u>
- 5 SECTION 2. This Act takes effect immediately if it receives
- 6 a vote of two-thirds of all the members elected to each house, as
- 7 provided by Section 39, Article III, Texas Constitution. If this
- 8 Act does not receive the vote necessary for immediate effect, this
- 9 Act takes effect September 1, 2017.

S.B. No. 1214

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May	4, 2017, b	y the	follo	owing '	vote:	Yeas	31, Na	ys 0.			
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May	24, 2017,	by	the	follo	wina	vote:	Yeas	146.	Navs	s 0.	two
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Approved:

Date

Declarate

Declarate

Governor

FILED IN THE OFFICE OF THE SECRETARY OF STATE 3:30 PM 0'CLOCK

Secretary of State

LEGISLATIVE BUDGET BOARD Austin, Texas

FISCAL NOTE, 85TH LEGISLATIVE REGULAR SESSION

April 23, 2017

TO: Honorable John Whitmire, Chair, Senate Committee on Criminal Justice

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: SB1214 by Perry (Relating to a succession plan for a regional public defender's office that

primarily handles capital cases.), As Introduced

No significant fiscal implication to the State is anticipated.

The bill would amend the Government Code to authorize the Texas Indigent Defense Commission, as a condition of a grant, to establish a succession plan for a regional public defender office handling capital cases. Based on the analysis of the Office of Court Administration, duties and responsibilities associated with implementing the provisions of the bill could be accomplished using existing resources.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies: 212 Office of Court Administration, Texas Judicial Council

LBB Staff: UP, KJo, GDz, PBO