

Bill Summary
2nd Session of the 58th Legislature

Bill No.:	SB 1548
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Author:	Sen. Thompson
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Bill Analysis

The FS for SB 1548 provides that each county, instead of its district attorney, may establish a drug court program. The board of county commissioners may enter into a contract with the Department of Mental Health and Substance Abuse Services to establish and maintain the program. The commissioners may execute a single administrative contract in the county receiving payment for programs that encompass multiple counties. The commissioners are directed to designate a coordinator upon signing the contract and, if employees are needed to carry out the program, the county subcontract with its court services subcontractor to provide 1 or more drug court program staff or use a combination of county employees and staff provided through the subcontractor. The measure provides that the county or its subcontractor shall oversee its coordinator as well as communicate with the Department to monitor the performance and success of the drug court program. The measure also provides that a juvenile court program may be established. The measure strikes language leaving the decision of whether an offender is eligible to participate in the program to the discretion of the district attorney and instead directs the district attorney to determine any statutory prohibitions on the offender that prevents participation. The measure also directs each drug court to develop agreed-upon, objective eligibility criteria to determine presumptive drug court eligibility for offenders. Notification must be provided to victims if the offender involved in the crime seeks to participate in the program. Additionally, the measure requires any offender admitted to the drug court program for a crime which requires the offender to attend a batterers' intervention program to continue attending the intervention program as a condition of participating in the drug court. The coordinator shall file a form with the district attorney if a person wishes to be voluntarily placed in the program as well as keep a record of all presumptively eligible offenders who are not placed in the drug court program.

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