

By: Neave, Wu

H.B. No. 3994

Substitute the following for H.B. No. 3994:

By: Ramos

C.S.H.B. No. 3994

A BILL TO BE ENTITLED

AN ACT

relating to the modification of a disposition by a juvenile court after a child's violation of a condition of probation.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 54.05, Family Code, is amended by adding Subsections (n) and (o) to read as follows:

(n) If a court finds after a hearing to modify disposition that a child violated a condition of probation by engaging in conduct that does not violate a penal law of this state, the court may not modify the disposition by ordering the placement of the child in a juvenile facility solely because of the violation unless:

(1) the conduct indicates that the child may be dangerous to the child's self or may threaten the safety of the public; or

(2) the placement is in a facility specifically designated to treat a diagnosed condition, including:

(A) a residential treatment center;

(B) a chemical dependency treatment facility licensed under Chapter 464, Health and Safety Code; or

(C) a facility where the child is treated by a sex offender treatment provider.

(o) In this section:

(1) "Residential treatment center" means a general

1 residential operation that:

2 (A) provides care for 13 or more children or  
3 young adults; and

4 (B) exclusively provides treatment services for  
5 children or young adults with emotional disorders.

6 (2) "Sex offender treatment provider" has the meaning  
7 assigned by Section 110.001, Occupations Code.

8 SECTION 2. The change in law made by this Act applies only  
9 to conduct that occurs on or after September 1, 2021. Conduct that  
10 occurred before September 1, 2021, is governed by the law in effect  
11 on the date the conduct occurred, and the former law is continued in  
12 effect for that purpose. For purposes of this section, conduct  
13 occurred before September 1, 2021, if any element of the conduct  
14 occurred before that date.

15 SECTION 3. This Act takes effect September 1, 2021.