

By: Gámez

H.B. No. 1631

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to the duration of a child's detention following a  
3 detention hearing and a study on the effects of detention orders in  
4 a juvenile court proceeding.

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

6 SECTION 1. Section 54.01(h), Family Code, is amended to  
7 read as follows:

8 (h) A detention order extends to the conclusion of the  
9 disposition hearing, if there is one, but in no event for more than  
10 five [~~10~~] working days. Further detention orders may be made  
11 following subsequent detention hearings. The initial detention  
12 hearing may not be waived but subsequent detention hearings may be  
13 waived in accordance with the requirements of Section 51.09. Each  
14 subsequent detention order shall extend for no more than five [~~10~~]  
15 working days, except that in a county that does not have a certified  
16 juvenile detention facility, as described by Section 51.12(a)(3),  
17 each subsequent detention order shall extend for no more than seven  
18 [~~15~~] working days.

19 SECTION 2. (a) In this section, "department" means the  
20 Texas Juvenile Justice Department.

21 (b) The department shall conduct a study on the effects of  
22 detention orders in a juvenile court proceeding.

23 (c) In conducting the study described by Subsection (b) of  
24 this section, the department shall, for each child detained in a

1 facility described by Section 51.12, Family Code, determine the:

2 (1) amount of time each child was detained in a  
3 facility; and

4 (2) amount of time between each detention hearing.

5 (d) Not later than December 1, 2026, the department shall  
6 prepare and submit to the governor, the lieutenant governor, the  
7 speaker of the house of representatives, and each member of the  
8 legislature a written report containing the results of the study  
9 conducted under this section and any recommendations for  
10 legislative or other action. The report must include the  
11 information described by Subsection (c) of this section  
12 disaggregated by:

13 (1) the county in which the child was detained;

14 (2) the conduct for which the child was detained;

15 (3) age;

16 (4) race;

17 (5) ethnicity;

18 (6) sex; and

19 (7) whether the child is the subject of a case with the  
20 Department of Family and Protective Services.

21 (e) The department shall ensure that information collected  
22 during the study does not personally identify any child.

23 (f) This section expires September 1, 2027.

24 SECTION 3. The change in law made by this Act to Section  
25 54.01, Family Code, applies only to a detention order, including a  
26 subsequent detention order, entered by a court on or after the  
27 effective date of this Act.

1           SECTION 4. This Act takes effect immediately if it receives  
2 a vote of two-thirds of all the members elected to each house, as  
3 provided by Section 39, Article III, Texas Constitution. If this  
4 Act does not receive the vote necessary for immediate effect, this  
5 Act takes effect September 1, 2025.