

Amend **CSHB 914** (Senate committee printing) as follows:

(1) Strike SECTION 2 of the bill, amending Section 61.0191, Human Resources Code (page 2, lines 42 through 69).

(2) Strike SECTION 3 of the bill, adding Section 61.0451, Human Resources Code (page 3, line 1, through page 4, line 19), and substitute the following appropriately numbered SECTION:

SECTION \_\_\_\_\_. Subchapter C, Chapter 61, Human Resources Code, is amended by adding Section 61.0451 to read as follows:

Sec. 61.0451. OFFICE OF INSPECTOR GENERAL. (a) The office of inspector general is established at the commission for the purpose of investigating:

(1) crimes committed by commission employees, including parole officers employed by or under a contract with the commission; and

(2) crimes and delinquent conduct committed at a facility operated by the commission or at a residential facility operated by another entity under a contract with the commission.

(b) The office of inspector general shall prepare and deliver a report concerning the results of any investigation conducted under this section to:

(1) the executive commissioner;

(2) the advisory board;

(3) the governor;

(4) the lieutenant governor;

(5) the speaker of the house of representatives;

(6) the standing committees of the senate and house of representatives with primary jurisdiction over matters concerning correctional facilities;

(7) the special prosecution unit;

(8) the state auditor; and

(9) any other appropriate state agency responsible for licensing or certifying commission employees or facilities.

(c) The report prepared under Subsection (b) must include a summary of the actions performed by the office of inspector general in conducting the investigation, a statement of whether the investigation resulted in a finding that a criminal offense or delinquent conduct occurred, and a description of the finding. The

report is public information under Chapter 552, Government Code, only to the extent authorized under that chapter and other law.

(d) The office of inspector general may employ and commission inspectors general as peace officers for the purpose of carrying out the duties described by this section. An inspector general shall have all of the powers and duties given to peace officers under Article 2.13, Code of Criminal Procedure.

(e) Peace officers employed and commissioned under Subsection (d) must:

(1) be certified by the Commission on Law Enforcement Officer Standards and Education under Chapter 1701, Occupations Code; and

(2) complete advanced courses relating to the duties of peace officers employed and commissioned under Subsection (d) as part of any continuing education requirements for the peace officers.

(f) The executive commissioner shall select a commissioned peace officer as chief inspector general. The chief inspector general is subject to the requirements of this section and may only be discharged for cause.

(g) The chief inspector general shall on a quarterly basis prepare and deliver a report concerning the operations of the office of inspector general to:

(1) the executive commissioner;

(2) the advisory board;

(3) the governor;

(4) the lieutenant governor;

(5) the speaker of the house of representatives;

(6) the standing committees of the senate and house of representatives with primary jurisdiction over correctional facilities;

(7) the state auditor; and

(8) the comptroller.

(h) A report prepared under Subsection (g) is public information under Chapter 552, Government Code, to the extent authorized under that chapter and other law, and the commission shall publish the report on the commission's Internet website. A

report must be both aggregated and disaggregated by individual facility and include information relating to:

(1) the types of investigations conducted by the office of inspector general, such as whether an investigation concerned narcotics or an alleged incident of sexual abuse;

(2) the relationship of a victim to a perpetrator, if applicable; and

(3) the number of investigations conducted concerning suicides, deaths, and hospitalizations of children in the custody of the commission.

(i) The office of inspector general shall immediately report to the executive commissioner, the advisory board, the governor's general counsel, and the state auditor any particularly serious or flagrant problem concerning the administration of a commission program or operation or any interference by the executive commissioner or an employee of the commission with an investigation conducted by the office.

(3) Immediately following SECTION 3 of the bill (page 4, between lines 19 and 20), insert the following appropriately numbered SECTION:

SECTION \_\_\_\_\_. To the extent that any conflict exists between Sections 61.0451(a)(2) and (c), Human Resources Code, as added by this Act, and any similar provision in S.B. No. 103, Acts of the 80th Legislature, Regular Session, 2007, concerning the authority of the office of inspector general to investigate crimes and delinquent conduct and to prepare and deliver reports concerning investigations of such crimes and delinquent conduct, this Act prevails and the similar provisions of S.B. No. 103 have no effect.

(4) Renumber the SECTIONS of the bill appropriately.