

1-1 By: Turner (Senate Sponsor - Uresti) H.B. No. 1111  
1-2 (In the Senate - Received from the House May 11, 2007;  
1-3 May 15, 2007, read first time and referred to Committee on Criminal  
1-4 Justice; May 18, 2007, reported favorably by the following vote:  
1-5 Yeas 6, Nays 0; May 18, 2007, sent to printer.)

1-6 A BILL TO BE ENTITLED  
1-7 AN ACT

1-8 relating to prohibitions on and reporting concerning medical,  
1-9 psychiatric, and other research on children committed to the Texas  
1-10 Youth Commission.

1-11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-12 SECTION 1. Section 61.076, Human Resources Code, is amended  
1-13 by amending Subsection (a) and adding Subsection (c) to read as  
1-14 follows:

1-15 (a) As a means of correcting the socially harmful tendencies  
1-16 of a child committed to it, the commission may, subject to  
1-17 Subsection (c):

1-18 (1) require the child to participate in moral,  
1-19 academic, vocational, physical, and correctional training and  
1-20 activities;

1-21 (2) require the modes of life and conduct that seem  
1-22 best adapted to fit the child for return to full liberty without  
1-23 danger to the public;

1-24 (3) provide any medical or psychiatric treatment that  
1-25 is necessary; and

1-26 (4) place physically fit children in  
1-27 parks-maintenance camps, forestry camps, or ranches owned by the  
1-28 state or the United States and require the performance of suitable  
1-29 conservation and maintenance work.

1-30 (c) The commission may not allow a child committed to it to  
1-31 participate in a medical, psychiatric, or other type of research  
1-32 program or study. This subsection does not apply to survey research  
1-33 or retrospective studies that are based only on medical records,  
1-34 claims data, or outcome data.

1-35 SECTION 2. Subchapter E, Chapter 61, Human Resources Code,  
1-36 is amended by adding Section 61.0763 to read as follows:

1-37 Sec. 61.0763. REPORTING CONCERNING RESEARCH PROGRAMS OR  
1-38 STUDIES. (a) The commission shall keep records relating to  
1-39 children committed to it that participate in research programs or  
1-40 studies.

1-41 (b) The records must show, for each calendar quarter and for  
1-42 each calendar year:

1-43 (1) the number of children participating in research  
1-44 programs or studies for the appropriate reporting period;

1-45 (2) the type of research program or study in which each  
1-46 child is participating;

1-47 (3) the name of the principal investigator conducting  
1-48 the research program or study; and

1-49 (4) the entity sponsoring the research program or  
1-50 study.

1-51 (c) The commission shall submit a report that contains the  
1-52 information in the records kept under Subsection (b) on or before  
1-53 the 15th day after the last day of the appropriate reporting period  
1-54 to the:

1-55 (1) governor;

1-56 (2) lieutenant governor;

1-57 (3) speaker of the house of representatives; and

1-58 (4) members of the legislature.

1-59 (d) A report submitted under this section is public  
1-60 information under Chapter 552, Government Code.

1-61 SECTION 3. This Act applies to a child committed to the  
1-62 Texas Youth Commission without regard to whether the child was  
1-63 committed before, on, or after the effective date of this Act.

1-64 SECTION 4. This Act takes effect immediately if it receives

2-1 a vote of two-thirds of all the members elected to each house, as  
2-2 provided by Section 39, Article III, Texas Constitution. If this  
2-3 Act does not receive the vote necessary for immediate effect, this  
2-4 Act takes effect September 1, 2007.

2-5

\* \* \* \* \*