

By: Turner

H.B. No. 1113

Substitute the following for H.B. No. 1113:

By: Eiland

C.S.H.B. No. 1113

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to prohibitions on and reporting research on children  
3 within the juvenile probation system.

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

5 SECTION 1. Subchapter C, Chapter 141, Human Resources Code,  
6 is amended by adding Sections 141.0485 and 141.0486 to read as  
7 follows:

8 Sec. 141.0485. RESEARCH. (a) Notwithstanding any other  
9 provision of this chapter, including Section 141.048, the  
10 commission may not permit medical, pharmaceutical, or cosmetic  
11 research to be conducted on a child within the juvenile probation  
12 system.

13 (b) This section does not apply to survey research or  
14 retrospective studies that are based only on medical records,  
15 claims data, or outcome data.

16 Sec. 141.0486. REPORTING CONCERNING RESEARCH PROGRAMS OR  
17 STUDIES. (a) The commission shall keep records relating to  
18 children within the juvenile probation system that participate in  
19 research programs or studies.

20 (b) The records must show, for each calendar quarter and for  
21 each calendar year:

22 (1) the number of children participating in research  
23 programs or studies for the appropriate reporting period;

24 (2) the type of research program or study in which each

1 child is participating;

2 (3) the name of the principal investigator conducting  
3 the research program or study; and

4 (4) the entity sponsoring the research program or  
5 study.

6 (c) The commission shall submit a report that contains the  
7 information in the records kept under Subsection (b) on or before  
8 the 15th day after the last day of the appropriate reporting period  
9 to the:

10 (1) governor;

11 (2) lieutenant governor;

12 (3) speaker of the house of representatives; and

13 (4) members of the senate and house of  
14 representatives.

15 (d) A report submitted under this section is public  
16 information under Chapter 552, Government Code.

17 SECTION 2. This Act applies to a child within the juvenile  
18 probation system without regard to whether the child entered the  
19 probation system before, on, or after the effective date of this  
20 Act.

21 SECTION 3. This Act takes effect immediately if it receives  
22 a vote of two-thirds of all the members elected to each house, as  
23 provided by Section 39, Article III, Texas Constitution. If this  
24 Act does not receive the vote necessary for immediate effect, this  
25 Act takes effect September 1, 2007.