

By: Bolton, et al.

H.B. No. 3521

Substitute the following for H.B. No. 3521:

By: Jones

C.S.H.B. No. 3521

A BILL TO BE ENTITLED

AN ACT

relating to measures to increase the safety of children committed to the Texas Youth Commission.

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

SECTION 1. Subchapter C, Chapter 61, Human Resources Code, is amended by adding Sections 61.0453 and 61.0454 to read as follows:

Sec. 61.0453. DISCHARGE OR RETALIATION FOR COMPLAINTS PROHIBITED. The commission may not discharge or in any manner discriminate or retaliate against an employee who in good faith makes a complaint to the commission or cooperates with the office in an investigation.

Sec. 61.0454. OVERSIGHT OF STUDENTS. (a) At a facility of the commission, a single individual may not have complete control, supervision, or oversight over the schedule and movements of the children in the facility.

(b) The commission shall by rule establish procedures to implement this section.

SECTION 2. Subchapter E, Chapter 61, Human Resources Code, is amended by adding Section 61.0765 to read as follows:

Sec. 61.0765. POSTING OF INFORMATION. (a) The commission shall post a sign in the eating area and other conspicuous, high traffic, high visibility locations at each of its facilities for children that states:

1 (1) the rights that the child has while committed to
2 the commission; and

3 (2) the name, phone number, and e-mail address of the
4 employee of the commission with supervisory authority over the
5 facility to which the child is committed with whom the child can
6 file a complaint or otherwise report any abuse.

7 (b) The sign must have dimensions of at least 8-1/2 inches
8 by 11 inches and be in an easily readable font and type size.

9 SECTION 3. Section 411.1141(a), Government Code, is amended
10 to read as follows:

11 (a) The Texas Youth Commission is entitled to obtain from
12 the department criminal history record information maintained by
13 the department that relates to a person who is:

14 (1) an applicant for a position with or an employee of
15 the Texas Youth Commission;

16 (2) a volunteer or an intern, or an applicant
17 volunteer or intern, with the Texas Youth Commission;

18 (3) a business entity or person who contracts with the
19 Texas Youth Commission to provide direct delivery services to
20 youth;

21 (4) an employee of, or an applicant for employment
22 with, a business entity or person who contracts with the Texas Youth
23 Commission to provide direct delivery of services to youth; or

24 (5) a volunteer or an intern, or an applicant
25 volunteer or intern, with a business entity or person who contracts
26 with the Texas Youth Commission to provide direct delivery of
27 services to youth.

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, 2007.