

House Bill 1111
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

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

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

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

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

(3) provide any medical or psychiatric treatment that is necessary; and

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

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

SENATE VERSION

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

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

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

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

(3) provide any medical or psychiatric treatment that is necessary; and

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

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

(d) Subsection (c) does not apply to a research program if one of the following courts determines it is in the best interest of a child for the child to participate in the research program:

(1) a district court in Travis County;

(2) a district court whose jurisdiction includes the county

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of the child's residence or placement; or
(3) a court with continuing jurisdiction over the child's
case.

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

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

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

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

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

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

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

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

(1) governor;

(2) lieutenant governor;

(3) speaker of the house of representatives; and

(4) members of the legislature.

Same as House version.

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

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

Same as House version.

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

Same as House version.