By: Turner of Harris

H.B. No. 2241

A BILL TO BE ENTITLED 1 AN ACT 2 relating to the maximum age of commitment of certain juveniles to the Texas Juvenile Justice Department. 3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS: 4 5 SECTION 1. Section 244.014(a), Human Resources Code, is amended to read as follows: 6 (a) After a child sentenced to commitment under Section 7 54.04(d)(3), 54.04(m), or 54.05(f), Family Code, becomes 16 years 8 9 of age but before the child becomes 21 [19] years of age, the department may refer the child to the juvenile court that entered 10 the order of commitment for approval of the child's transfer to the 11 12 Texas Department of Criminal Justice for confinement if: (1) the child has not completed the sentence; and 13 14 (2) the child's conduct, regardless of whether the child was released under supervision under Section 245.051, 15 16 indicates that the welfare of the community requires the transfer. SECTION 2. Subchapter C, Chapter 245, Human Resources Code, 17 is amended by adding Section 245.107 to read as follows: 18 Sec. 245.107. EXTENSION ORDER FOR CERTAIN PERSONS 19 ΙN DEPARTMENT PROGRAMS. (a) Not more than six months before the 19th 20 birthday of a person who has been committed to the department with a 21 determinate sentence, the department may refer the person to the 22 23 committing juvenile court for a hearing to determine whether to extend the term of the person's commitment to the department, for 24

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11from the department;12(2) the department will provide the most suitable13environment for that rehabilitation; and14(3) the person's conduct more likely than not15indicates that the welfare of the community does not require the16person's transfer to the Texas Department of Criminal Justice.17SECTION 3. Section 245.151(e), Human Resources Code, is18amended to read as follows:19(e) The department shall transfer a person who has been10sentenced under a determinate sentence to commitment under Section1554.04(d)(3), 54.04(m), or 54.05(f), Family Code, or who has been19returned to the department under Section 54.11(i)(1), Family Code,10to the custody of the Texas Department of Criminal Justice [on the19person's 19th birthday], if the person has not already been10discharged or transferred, to serve the remainder of the person's10sentence on parole as provided by Section 508.156, Government Code:		
3 (1) the date the person completes the program; 4 (2) the date the person's term of sentence under the 5 order of commitment is complete; or 6 (3) the person's 21st birthday. 7 (b) The court may order a person to remain in the custody of 8 the department as provided by Subsection (a) only if after the 9 hearing the court finds that: 10 (1) the person is in need of additional rehabilitation 1 from the department; 12 (2) the department will provide the most suitable 9 environment for that rehabilitation; and 14 (3) the person's conduct more likely than not 15 indicates that the welfare of the community does not require the 16 person's transfer to the Texas Department of Criminal Justice. 17 SECTION 3. Section 245.151(e), Human Resources Code, is 18 amended to read as follows: 19 (e) The department shall transfer a person who has been 10 sentenced under a determinate sentence to commitment under Section 11 ferson's 1.1(i)(1), Family Code, 12 bit hedpartment under Section 54.11(i)(1), Family Code, 13 the cus	1	the purpose of continuing in a department program after the
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1 extended the person's term of commitment to the department under 2 Section 245.107; or

3 (2) on or before the person's 21st birthday, if the 4 court has extended the person's term of commitment to the 5 department under Section 245.107.

6 SECTION 4. Sections 244.014(a) and 245.151(e), Human Resources Code, as amended by this Act, and Section 245.107, Human 7 8 Resources Code, as added by this Act, apply only to conduct violating a penal law of this state that occurs on or after the 9 effective date of this Act. Conduct that occurs before the 10 effective date of this Act is covered by the law in effect when the 11 conduct occurred, and the former law is continued in effect for that 12 purpose. For purposes of this section, conduct violating a penal 13 law of this state occurred before the effective date of this Act if 14 15 any element of the violation occurred before that date.

16 SECTION 5. This Act takes effect September 1, 2013.

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