

By: Van de Putte

S.B. No. 1517

A BILL TO BE ENTITLED

1 AN ACT
2 relating to the placement of a child in disciplinary seclusion in a
3 juvenile facility.

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

5 SECTION 1. Chapter 51, Family Code, is amended by adding
6 Section 51.22 to read as follows:

7 Sec. 51.22. PLACEMENT IN DISCIPLINARY SECLUSION. (a) In
8 this section:

9 (1) "Board" means the Texas Juvenile Justice Board.

10 (2) "Department" means the Texas Juvenile Justice
11 Department.

12 (3) "Disciplinary seclusion" means the involuntary
13 separation of a child from other children placed in or committed to
14 a juvenile facility and the placement of the child alone in an area
15 from which the child is prevented from leaving for disciplinary
16 purposes.

17 (4) "Juvenile facility" means a facility that serves
18 juveniles under juvenile court jurisdiction and that is operated
19 wholly or partly by the department, a juvenile board, or another
20 governmental unit or by a private vendor under a contract with the
21 department, juvenile board, or governmental unit.

22 (b) A child placed in or committed to a juvenile facility
23 may not be placed in disciplinary seclusion for longer than a
24 four-hour period unless the child is placed in disciplinary

1 seclusion as a result of an assault or an escape or attempted escape
2 from the facility.

3 (c) A child placed in disciplinary seclusion for longer than
4 a one-hour period must complete a therapeutic self-analysis
5 assignment. The board shall develop criteria for therapeutic
6 self-analysis assignments.

7 (d) The administrator of a juvenile facility operated by or
8 under contract with a juvenile board or other local governmental
9 unit shall report to the department data regarding the placement of
10 children in disciplinary seclusion in the facility. A report under
11 this subsection must include for each instance a child is placed in
12 disciplinary seclusion in the facility the reason for the placement
13 and the duration of the placement.

14 (e) The board shall adopt rules necessary to implement this
15 section.

16 (f) The board shall review all rules relating to discipline
17 plans and the use of restraints for children with mental health or
18 trauma concerns who are placed in disciplinary seclusion and
19 incorporate best practices in those rules.

20 SECTION 2. This Act takes effect immediately if it receives
21 a vote of two-thirds of all the members elected to each house, as
22 provided by Section 39, Article III, Texas Constitution. If this
23 Act does not receive the vote necessary for immediate effect, this
24 Act takes effect September 1, 2013.