

By: Dukes

H.B. No. 1144

Substitute the following for H.B. No. 1144:

By: Dutton

C.S.H.B. No. 1144

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to establishing a task force to examine the adjudication,  
3 disposition, and registration of juvenile sex offenders.

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

5 SECTION 1. TASK FORCE ON IMPROVING OUTCOMES FOR JUVENILES  
6 ADJUDICATED OF SEXUAL OFFENSES. (a) In this Act:

7 (1) "Juvenile sex offender" means a person subject to  
8 the jurisdiction of a juvenile court for conduct that constitutes  
9 an offense for which registration as a sex offender is required  
10 under Chapter 62, Code of Criminal Procedure.

11 (2) "Task force" means the Task Force on Improving  
12 Outcomes for Juveniles Adjudicated of Sexual Offenses.

13 (b) The Task Force on Improving Outcomes for Juveniles  
14 Adjudicated of Sexual Offenses is established. The purpose of the  
15 task force is to make policy recommendations to improve the  
16 outcomes for juvenile sex offenders after studying:

17 (1) the adjudication and disposition processes and  
18 programs for juvenile sex offenders;

19 (2) counseling, mental health, or other services  
20 provided by the state or local juvenile probation departments to  
21 juvenile sex offenders;

22 (3) the sex offender registration process for  
23 juveniles; and

24 (4) any other issue related to improving the outcomes

1 for juvenile sex offenders.

2 (c) The task force is composed of the following members:

3 (1) the executive director of the Texas Juvenile  
4 Justice Department or the executive director's designee;

5 (2) the commissioner of the Department of Family and  
6 Protective Services or the commissioner's designee;

7 (3) one representative designated by the Crime Records  
8 Service of the Department of Public Safety who has experience with  
9 the department's sex offender registry;

10 (4) one representative designated by the Council on  
11 Sex Offender Treatment;

12 (5) one representative designated by Children's  
13 Advocacy Centers of Texas;

14 (6) one representative designated by the Texas  
15 Association for the Protection of Children;

16 (7) one representative designated by Texans Care for  
17 Children;

18 (8) one private provider of juvenile sex offender  
19 treatment from a rural county and one private provider of juvenile  
20 sex offender treatment from an urban county, appointed by the  
21 governor;

22 (9) one judge from a rural county and one judge from an  
23 urban county, appointed by the governor;

24 (10) one law enforcement official from a rural county  
25 and one law enforcement official from an urban county, appointed by  
26 the governor;

27 (11) one prosecutor from a rural county and one

1 prosecutor from an urban county, appointed by the governor;

2 (12) one juvenile probation officer from a rural  
3 county and one juvenile probation officer from an urban county,  
4 appointed by the governor;

5 (13) one juvenile public defender from a rural county  
6 and one juvenile public defender from an urban county, appointed by  
7 the governor; and

8 (14) one academic researcher from an accredited  
9 university who specializes in juvenile justice, appointed by the  
10 governor.

11 (d) The governor shall designate a member of the task force  
12 to serve as presiding officer.

13 (e) The presiding officer may designate additional experts  
14 to serve as advisors to the task force.

15 (f) A person designated to make an appointment of a member  
16 of the task force shall make the appointment not later than the 60th  
17 day after the effective date of this Act. The designated person  
18 shall fill a vacancy in the task force or a vacancy in the position  
19 of presiding officer of the task force by the appointment of another  
20 person with the same qualifications as the original appointee.

21 (g) The presiding officer shall call the initial meeting of  
22 the task force on or before December 1, 2015. The task force shall  
23 meet at the times and places that the presiding officer determines  
24 are appropriate.

25 (h) A member of the task force is not entitled to  
26 compensation but may receive reimbursement for the member's actual  
27 and necessary expenses incurred in attending meetings of the task

1 force and performing other official duties authorized by the  
2 presiding officer of the task force, if funding is available.

3 (i) The task force may request meeting facilities, data,  
4 clerical assistance, and other assistance from any department,  
5 agency, institution, office, or political subdivision of this  
6 state.

7 (j) The task force may consult with any relevant experts and  
8 stakeholders, including:

9 (1) juvenile sex offenders;

10 (2) family members of juvenile sex offenders;

11 (3) mental health experts;

12 (4) public school district administrators; and

13 (5) higher education administrators.

14 (k) State funds may not be appropriated for purposes of the  
15 task force. The task force may apply for, receive, and accept  
16 grants of funds or other contributions as appropriate to assist in  
17 the performance of its duties. The task force may contract for  
18 consultants or technical assistance.

19 (l) The task force is not subject to Chapter 2110,  
20 Government Code.

21 SECTION 2. DUTIES OF TASK FORCE. (a) The task force shall:

22 (1) solicit and review information and hear testimony  
23 relevant to the purposes of the task force from individuals, state  
24 and local agencies, community-based organizations, and other  
25 public and private organizations;

26 (2) review the adjudication and disposition processes  
27 and programs for juvenile sex offenders, including:

1 (A) the consistency in adjudication and  
2 disposition processes across the state;

3 (B) the training provided to judges, law  
4 enforcement officers, parole and probation officers, and other  
5 juvenile service providers on the differences between juvenile and  
6 adult sex offenders regarding the potential for rehabilitation  
7 through treatment; and

8 (C) training provided to judges, law enforcement  
9 officers, parole and probation officers, and other juvenile service  
10 providers regarding the most effective way to protect the community  
11 by reducing recidivism rates among juvenile sex offenders;

12 (3) review juvenile sex offender registration,  
13 including:

14 (A) the effectiveness of juvenile sex offender  
15 registration in reducing recidivism rates;

16 (B) statistical information regarding juveniles  
17 required to register as sex offenders;

18 (C) the impact of juvenile sex offender  
19 registration on a juvenile, including a juvenile's ability to  
20 access education, obtain housing, and gain employment; and

21 (D) the impact of labeling a juvenile as a  
22 juvenile sex offender on the family of the juvenile;

23 (4) review counseling, mental health, or other  
24 services provided to juvenile sex offenders, including:

25 (A) the effectiveness of the services in the  
26 rehabilitation of juvenile sex offenders and the reduction of  
27 recidivism rates; and

1 (B) the current shortage of juvenile sex offender  
2 service providers; and

3 (5) review statistical information regarding the  
4 frequency of juvenile sex offenders being victims of abuse or  
5 neglect or witnesses to family violence.

6 (b) The task force shall adopt rules necessary to fulfill  
7 the task force's duties under this Act.

8 SECTION 3. REPORT. (a) The task force shall prepare a  
9 report that includes:

10 (1) a description of the activities of the task force;

11 (2) the findings and recommendations of the task  
12 force, including proposed policy recommendations related to:

13 (A) the provision of coordinated support  
14 services to juvenile sex offenders; and

15 (B) the most effective strategy to reduce  
16 recidivism rates and improve outcomes for juvenile sex offenders;  
17 and

18 (3) any related proposals for legislation or other  
19 matters the task force considers appropriate.

20 (b) Not later than December 1, 2016, the task force shall  
21 deliver the report of the task force's findings and recommendations  
22 to:

23 (1) the governor;

24 (2) the lieutenant governor;

25 (3) the speaker of the house of representatives;

26 (4) the standing committees of each house of the  
27 legislature with primary jurisdiction over criminal justice

1 matters;

2           (5) the executive director of the Texas Department of  
3 Criminal Justice;

4           (6) the executive director of the Texas Juvenile  
5 Justice Department;

6           (7) each state agency and nonprofit organization  
7 represented on the task force; and

8           (8) any other appropriate agency of this state.

9           SECTION 4. EXPIRATION. The task force is abolished and this  
10 Act expires September 1, 2017.

11           SECTION 5. EFFECTIVE DATE. This Act takes effect  
12 immediately if it receives a vote of two-thirds of all the members  
13 elected to each house, as provided by Section 39, Article III, Texas  
14 Constitution. If this Act does not receive the vote necessary for  
15 immediate effect, this Act takes effect September 1, 2015.