

BILL ANALYSIS

C.S.H.B. 3538
By: Minjarez
Juvenile Justice & Family Issues
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Interested parties contend that it would be in the general public's best interest to permit a child who is discharged from probation to complete services the child began to receive before discharge relating to vocational, educational, behavioral, or other goals. C.S.H.B. 3538 seeks to provide for the continuation of such services to a child discharged from probation up to six months following discharge.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

C.S.H.B. 3538 amends the Human Resources Code to authorize a juvenile board or juvenile probation department, provided that existing resources are available, to provide post-discharge services to a child for not more than six months after the date the child is discharged from probation, regardless of the age of the child on that date. The bill prohibits a juvenile board or juvenile probation department from requiring a child to participate in post-discharge services. The bill defines "post-discharge services" as community-based services offered after a child is discharged from probation to support the child's vocational, educational, behavioral, or other goals and to provide continuity for the child as the child transitions out of juvenile probation services and specifies that the term includes behavioral health services, mental health services, substance abuse services, mentoring, job training, and educational services.

EFFECTIVE DATE

September 1, 2017.

COMPARISON OF ORIGINAL AND SUBSTITUTE

While C.S.H.B. 3538 may differ from the original in minor or nonsubstantive ways, the following comparison is organized and formatted in a manner that indicates the substantial differences between the introduced and committee substitute versions of the bill.

INTRODUCED	HOUSE COMMITTEE SUBSTITUTE
SECTION 1. Chapter 142, Human	SECTION 1. Chapter 142, Human

85R 27790

17.122.849

Substitute Document Number: 85R 16538

Resources Code, is amended by adding Section 142.007 to read as follows:

Sec. 142.007. POST-DISCHARGE SERVICES. (a) For purposes of this section, "post-discharge services" means community-based services offered after a child is discharged from probation to support the child's vocational, educational, behavioral, or other goals and to provide continuity for the child as the child transitions out of juvenile probation services. The term includes:

(1) individual or family therapy;

(2) mentoring; and

(3) job training.

(b) Provided that existing resources are available, a juvenile board or juvenile probation department may provide post-discharge services to a child for not more than six months after the date the child is discharged from probation, regardless of the age of the child on that date.

(c) A juvenile board or juvenile probation department may not require a child to participate in post-discharge services.

SECTION 2. This Act takes effect September 1, 2017.

Resources Code, is amended by adding Section 142.007 to read as follows:

Sec. 142.007. POST-DISCHARGE SERVICES. (a) For purposes of this section, "post-discharge services" means community-based services offered after a child is discharged from probation to support the child's vocational, educational, behavioral, or other goals and to provide continuity for the child as the child transitions out of juvenile probation services. The term includes:

(1) behavioral health services;

(2) mental health services;

(3) substance abuse services;

(4) mentoring;

(5) job training; and

(6) educational services.

(b) Provided that existing resources are available, a juvenile board or juvenile probation department may provide post-discharge services to a child for not more than six months after the date the child is discharged from probation, regardless of the age of the child on that date.

(c) A juvenile board or juvenile probation department may not require a child to participate in post-discharge services.

SECTION 2. Same as introduced version.