

By: Whitmire, Garcia

S.B. No. 1977

A BILL TO BE ENTITLED

1 AN ACT  
2 relating to the authority of the independent ombudsman for the  
3 Texas Juvenile Justice Department to investigate and evaluate  
4 certain juvenile facilities.

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

6 SECTION 1. Section 261.101(e), Human Resources Code, as  
7 amended by Section 11(a), Chapter 854 (S.B. 1149), and Chapter 962  
8 (S.B. 1630), Acts of the 84th Legislature, Regular Session, 2015,  
9 is reenacted and amended to read as follows:

10 (e) Notwithstanding any other provision of this chapter,  
11 the powers of the office include:

- 12 (1) evaluating the effective delivery of services in:  
13 (A) facilities operated and services provided by  
14 the department under Subtitle C;  
15 (B) [~~(2)~~] post-adjudication correctional  
16 facilities under Section 51.125, Family Code, or Section 152.0016  
17 of this code; and  
18 (C) [~~(3)~~] any other residential facility in  
19 which a child adjudicated as having engaged in conduct indicating a  
20 need for supervision or delinquent conduct is placed by court  
21 order; and  
22 (2) [~~(4)~~] the investigation of complaints alleging a  
23 violation of the rights of the children placed in a facility  
24 described by Subdivision (1) [~~(2) or (3)~~].

1 SECTION 2. Section 261.101(f), Human Resources Code, is  
2 amended to read as follows:

3 (f) This subsection and Subsection [~~Subsections~~] (a-1) [~~and~~  
4 ~~(e)~~] expire December 31, 2018.

5 SECTION 3. Section 261.151, Human Resources Code, is  
6 amended by adding Subsection (d) to read as follows:

7 (d) A facility described by Section 261.101(e)(1)(B) or (C)  
8 shall allow the independent ombudsman access to the facility's  
9 records relating to any child in the care or custody of the  
10 facility.

11 SECTION 4. Section 11(b), Chapter 854 (S.B. 1149), Acts of  
12 the 84th Legislature, Regular Session, 2015, which added Section  
13 261.101(e), Human Resources Code, is repealed.

14 SECTION 5. This Act takes effect immediately if it receives  
15 a vote of two-thirds of all the members elected to each house, as  
16 provided by Section 39, Article III, Texas Constitution. If this  
17 Act does not receive the vote necessary for immediate effect, this  
18 Act takes effect September 1, 2017.