

BILL ANALYSIS

S.B. 1702
By: Whitmire
Juvenile Justice & Family Issues
Committee Report (Unamended)

BACKGROUND AND PURPOSE

It has been suggested that the office of independent ombudsman for the Texas Juvenile Justice Department should be able to provide the necessary oversight of any facility where a juvenile might be placed, including post-adjudication probation facilities and contract facilities, to ensure the safety and security of all juvenile offenders. S.B. 1702 seeks to clarify the statutory authority of the office to provide such oversight of certain facilities where juvenile offenders reside.

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

S.B. 1702 amends the Human Resources Code to clarify that the powers of the office of independent ombudsman for the Texas Juvenile Justice Department (TJJD) include the following:

- the inspection of a facility operated by TJJD, a post-adjudication secure correctional facility, a non-secure correctional facility, and any other residential facility in which a child adjudicated as having engaged in conduct indicating a need for supervision or delinquent conduct is placed by court order; and
- the investigation of complaints alleging a violation of the rights of children committed to or placed in such a facility.

S.B. 1702 repeals Section 261.101(e), Human Resources Code, as added by Chapter 854 (S.B. 1149), Acts of the 84th Legislature, Regular Session, 2015, and Section 261.101(e), Human Resources Code, as amended by Chapter 962 (S.B. 1630), Acts of the 84th Legislature, Regular Session, 2015.

EFFECTIVE DATE

September 1, 2019.