By:  Guillen (Senate Sponsor - Whitmire) H.B. No. 3648

(In the Senate - Received from the House May 6, 2019; May 7, 2019, read first time and referred to Committee on Criminal Justice; May 15, 2019, reported adversely, with favorable Committee Substitute by the following vote: Yeas 6, Nays 0; May 15, 2019, sent to printer.)

COMMITTEE VOTE

               Yea Nay Absent  PNV

Whitmire        X

Huffman         X

Buckingham      X

Flores          X

Hughes                    X

Miles           X

Perry           X

COMMITTEE SUBSTITUTE FOR H.B. No. 3648 By:  Whitmire

A BILL TO BE ENTITLED

AN ACT

relating to the powers and duties of the office of independent ombudsman for the Texas Juvenile Justice Department.

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

SECTION 1.  Section 261.001, Human Resources Code, is amended by amending Subdivision (1) and adding Subdivision (1-a) to read as follows:

(1)  "Child" means an individual who is:

(A)  10 years of age or older and younger than 19 years of age; and

(B)  committed to or placed in a facility described by Section 261.101(f) by an order issued by a juvenile court.

(1-a)  "Independent ombudsman" means the individual who has been appointed under this chapter to the office of independent ombudsman.

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

(f)  Notwithstanding any other provision of this chapter, the powers of the office include:

(1)  the inspection of:

(A)  a facility operated by the department under Subtitle C;

(B)  a post-adjudication secure correctional facility under Section 51.125, Family Code;

(C)  a nonsecure correctional facility under Section 51.126, Family Code; and

(D)  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

(2)  the investigation of complaints alleging a violation of the rights of the children committed to or placed in a facility described by this subsection.

SECTION 3.  The following provisions of the Human Resources Code are repealed:

(1)  Section 261.101(e), as added by Section 11(b), Chapter 854 (S.B. 1149), Acts of the 84th Legislature, Regular Session, 2015; and

(2)  Section 261.101(e), as amended by Chapter 962 (S.B. 1630), Acts of the 84th Legislature, Regular Session, 2015.

SECTION 4.  This Act takes effect September 1, 2019.

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