

By: Swanson

H.B. No. 4544

A BILL TO BE ENTITLED

AN ACT

relating to the issuance of personal identification certificates to youths committed to the Texas Juvenile Justice Department.

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

SECTION 1. Subchapter A, Chapter 245, Human Resources Code, is amended by adding Section 245.003 to read as follows:

245.003 STATE-ISSUED IDENTIFICATION; NECESSARY DOCUMENTATION. (a) Before releasing a child under supervision, the department shall:

(1) determine whether the child has:

(A) a valid license issued under Chapter 521, Transportation Code; or

(B) a valid personal identification certificate issued under Chapter 521, Transportation Code; and

(2) if the child does not have a valid license or certificate described by Subdivision (1), submit to the Department of Public Safety on behalf of the child a request for the issuance of a personal identification certificate under Chapter 521, Transportation Code.

(b) The department shall submit a request under Subsection (a)(2) as soon as is practicable to enable the department to provide the child with the personal identification certificate when the department discharges or releases the child.

(c) The department, the Department of Public Safety, and the

bureau of vital statistics of the Department of State Health Services shall by rule adopt a memorandum of understanding that establishes their respective responsibilities with respect to the issuance of a personal identification certificate to a child, including responsibilities related to verification of the child's identity. The memorandum of understanding must require the Department of State Health Services to electronically verify the birth record of a child whose name and any other personal information is provided by the department and to electronically report the recorded filing information to the Department of Public Safety to validate the identity of a child under this section.

(d) The department shall reimburse the Department of Public Safety or the Department of State Health Services for the actual costs incurred by those agencies in performing responsibilities established under this section. The department may charge the child's parent or guardian for the actual costs incurred under this section or the fees required by Section 521.421, Transportation Code.

(e) This section does not apply to a child who:  
(1) is not legally present in the United States; or  
(2) was not a resident of this state before the person was placed in the custody of the department.

SECTION 2. Section 245.0535, Human Resources Code, is amended by amending Subsection (e)(2) to read as follows:

Sec. 245.0535. COMPREHENSIVE REENTRY AND REINTEGRATION PLAN FOR CHILDREN; STUDY AND REPORT. (a) The department shall develop a comprehensive plan for each child committed to the

1 custody of the department to reduce recidivism and ensure the  
2 successful reentry and reintegration of the child into the  
3 community following the child's release under supervision or final  
4 discharge, as applicable, from the department. The plan for a child  
5 must be designed to ensure that the child receives an extensive  
6 continuity of care in services from the time the child is committed  
7 to the department to the time of the child's final discharge from  
8 the department. The plan for a child must include, as applicable:

- 9 (1) housing assistance;
- 10 (2) a step-down program, such as placement in a  
11 halfway house;
- 12 (3) family counseling;
- 13 (4) academic and vocational mentoring;
- 14 (5) trauma counseling for a child who is a victim of  
15 abuse while in the custody of the department; and
- 16 (6) other specialized treatment services appropriate  
17 for the child.

18 (b) The comprehensive reentry and reintegration plan  
19 developed under this section must provide for:

- 20 (1) an assessment of each child committed to the  
21 department to determine which skills the child needs to develop to  
22 be successful in the community following release under supervision  
23 or final discharge;
- 24 (2) programs that address the assessed needs of each  
25 child;
- 26 (3) a comprehensive network of transition programs to  
27 address the needs of children released under supervision or finally

1 discharged from the department;

2 (4) the identification of providers of existing local  
3 programs and transitional services with whom the department may  
4 contract under this section to implement the reentry and  
5 reintegration plan; and

6 (5) subject to Subsection (c), the sharing of  
7 information between local coordinators, persons with whom the  
8 department contracts under this section, and other providers of  
9 services as necessary to adequately assess and address the needs of  
10 each child.

11 (c) A child's personal health information may be disclosed  
12 under Subsection (b)(5) only in the manner authorized by Section  
13 [244.051](#) or other state or federal law, provided that the disclosure  
14 does not violate the Health Insurance Portability and  
15 Accountability Act of 1996 (Pub. L. No. 104-191).

16 (d) The programs provided under Subsections (b)(2) and (3)  
17 must:

18 (1) be implemented by highly skilled staff who are  
19 experienced in working with reentry and reintegration programs for  
20 children;

21 (2) provide children with:

22 (A) individualized case management and a full  
23 continuum of care;

24 (B) life-skills training, including information  
25 about budgeting, money management, nutrition, and exercise;

26 (C) education and, if a child has a learning  
27 disability, special education;

(D) employment training;

(E) appropriate treatment programs, including substance abuse and mental health treatment programs; and

(F) parenting and relationship-building classes; and

(3) be designed to build for children post-release and post-discharge support from the community into which the child is released under supervision or finally discharged, including support from agencies and organizations within that community.

(e) The department may contract and coordinate with private vendors, units of local government, or other entities to implement the comprehensive reentry and reintegration plan developed under this section, including contracting to:

(1) coordinate the supervision and services provided to children during the time children are in the custody of the department with any supervision or services provided children who have been released under supervision or finally discharged from the department;

(2) provide children awaiting release under supervision or final discharge with documents that are necessary after release or discharge, including identification papers, medical prescriptions, job training certificates, a personal identification certificate obtained under Section 245.003, if available, and referrals to services; and

(3) provide housing and structured programs, including programs for recovering substance abusers, through which children are provided services immediately following release under

1 supervision or final discharge.

2 (f) To ensure accountability, any contract entered into  
3 under this section must contain specific performance measures that  
4 the department shall use to evaluate compliance with the terms of  
5 the contract.

6 (h) The department shall conduct and coordinate research to  
7 determine whether the comprehensive reentry and reintegration plan  
8 developed under this section reduces recidivism rates.

9 (i) Not later than December 31 of each even-numbered year,  
10 the department shall deliver a report of the results of research  
11 conducted or coordinated under Subsection (h) to the lieutenant  
12 governor, the speaker of the house of representatives, and the  
13 standing committees of each house of the legislature with primary  
14 jurisdiction over juvenile justice and corrections.

15 (j) If a program or service in the child's comprehensive  
16 reentry and reintegration plan is not available at the time the  
17 child is to be released, the department shall find a suitable  
18 alternative program or service so that the child's release is not  
19 postponed.

20 (k) The department shall:

21 (1) clearly explain the comprehensive reentry and  
22 reintegration plan and any conditions of supervision to a child who  
23 will be released on supervision; and

24 (2) require each child committed to the department  
25 that is to be released on supervision to acknowledge and sign a  
26 document containing any conditions of supervision.

27 SECTION 3. This Act takes effect September 1, 2021.