

By: Whitmire

S.B. No. 2190

A BILL TO BE ENTITLED

AN ACT

relating to new crimes committed while committed to the Texas Juvenile Justice Department.

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

SECTION 1. Section [245.101](#), Human Resources Code, is amended as follows:

Sec. 245.101. COMPLETION OF MINIMUM LENGTH OF STAY; PANEL.

(a) After a child who is committed to the department without a determinate sentence completes the minimum length of stay established by the department for the child under Section [243.002](#), and the child does not have a pending petition for new delinquent conduct, and is not under indictment for a felony committed during that commitment, the department shall, in the manner provided by this section and Section [245.102](#):

(1) discharge the child from the custody of the department;

(2) release the child under supervision under Section [245.051](#); or

(3) extend the length of the child's stay in the custody of the department.

(b) The board by rule shall establish a panel whose function is to review and determine whether a child who has completed the child's minimum length of stay should be discharged from the custody of the department as provided by Subsection (a)(1), be

1 released under supervision under Section 245.051 as provided by  
2 Subsection (a)(2), or remain in the custody of the department for an  
3 additional period of time as provided by Subsection (a)(3).

4 (c) The executive director shall determine the size of the  
5 panel described by Subsection (b) and the length of the members'  
6 terms of service on the panel. The panel must consist of an odd  
7 number of members and the terms of the panel's members must last for  
8 at least two years. The executive director shall adopt policies  
9 that ensure the transparency, consistency, and objectivity of the  
10 panel's composition, procedures, and decisions. The executive  
11 director shall appoint persons to serve as members of the panel. A  
12 person appointed to the panel must be a department employee who  
13 works at the department's central office. A member of the panel may  
14 not be involved in any supervisory decisions concerning children in  
15 the custody of the department.

16 SECTION 2. Title 3, Chapter 53, Family Code, is amended by  
17 adding Section 53.045 (18) to read as follows:

18 (18) Any degree of felony, except state jail,  
19 committed by a juvenile while committed to the department.

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