

## **BILL ANALYSIS**

C.S.H.B. 458  
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Juvenile Justice & Family Issues  
Committee Report (Substituted)

### **BACKGROUND AND PURPOSE**

There is no statutory deadline for the Texas Juvenile Justice Department (TJJD) to begin providing rehabilitative programming to youth sentenced to TJJD rehabilitation programs. As such, youth are waiting in county jails or other jail facilities for extended periods without rehabilitation and are unable to begin the programming needed for their ultimate release. This is not in the best interest of the youth or the community. C.S.H.B. 458 seeks to require TJJD to accept custody of a person sentenced to commitment within thirty days of the judge signing the disposition order.

### **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**

C.S.H.B. 458 amends the Family Code to require the Texas Juvenile Justice Department (TJJD) to accept custody of a person not later than the 30th day after the date on which a juvenile court judge signs a disposition order committing the person to TJJD. If TJJD does not take custody of a person within that 30-day period, TJJD must compensate the applicable county for the cost of detention for each day that the person remains detained in a facility operated by or under contract with the county following the expiration of that period. The compensation must be equal to the amount that would have been incurred by TJJD to detain the person for that period.

C.S.H.B. 458 amends the Human Resources Code to require TJJD, beginning on the 31st day after the date a child is committed to TJJD, to give credit toward the minimum length of stay established for the child for time spent in a pre-adjudication secure detention facility before the child's transfer to TJJD.

### **EFFECTIVE DATE**

January 1, 2024.

### **COMPARISON OF INTRODUCED AND SUBSTITUTE**

While C.S.H.B. 458 may differ from the introduced in minor or nonsubstantive ways, the following summarizes the substantial differences between the introduced and committee substitute versions of the bill.

The substitute includes provisions that were not in the introduced requiring TJJD to compensate a county if TJJD does not take custody of a person within the 30-day period required and providing for the amount of the compensation.

The substitute includes a requirement absent from the introduced for TJJD to give credit toward a child's minimum length of stay for time spent in a pre-adjudication secure detention facility before the child's transfer to TJJD.

The substitute does not include the procedural provision included in the introduced making the bill's provisions applicable only to a person who is sentenced to commitment in TJJD on or after the bill's effective date.

The substitute changes the bill's effective date from September 1, 2023, as in the introduced, to January 1, 2024.