

BILL ANALYSIS

C.S.H.B. 1342
By: Wu
Youth Health & Safety, Select
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Many youth entering the juvenile justice system have previously interacted with, or are currently involved with, the Department of Family and Protective Services (DFPS). Current law requires DFPS to provide information within 14 business days of a request to local juvenile justice agencies. This information is essential for those agencies to serve multi-system youth and the time it takes for such agencies to receive and send essential data has been raised as an issue. For example, youth are being detained for the duration of the time it takes for an agency to learn that a child should be released. A child might also be released to the wrong parent simply because DFPS is not able to provide the name of the correct parent. Additionally, juvenile hearings may currently be held without the full picture of DFPS involvement that is necessary for understanding each child's history and needs, and this can result in a harmful or counterproductive decision. C.S.H.B. 1342 seeks to address these issues by increasing the efficiency with which essential information between DFPS and the Texas Juvenile Justice Department is exchanged.

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. 1342 amends the Family Code to change the deadline by which the Department of Family and Protective Services (DFPS) or a single source continuum contractor who contracts with DFPS to provide foster care services must, at the request of a state or local juvenile justice agency, share with that agency information that is necessary to improve and maintain community safety or that assists the agency in the continuation of services for or providing services to a multi-system youth, who meets one or more conditions, from sharing such information not later than the 14th business day after the request date to sharing such information as soon as practicable. The bill includes among the categories of such youths a child for whom parental rights have been terminated with respect to one or both parents.

C.S.H.B. 1342 amends the Human Resources Code to revise a statutory provision relating to the requirement for DFPS to provide information concerning a child's foster care history, as follows:

- changes the deadline for DFPS to provide that information from not later than the 14th day after receiving the request to as soon as practicable after that date; and
- changes the entity from which DFPS receives the request from a local juvenile probation department to a state or local juvenile justice agency.

C.S.H.B. 1342 applies only to a request for information made by a state or local juvenile justice agency on or after the bill's effective date.

EFFECTIVE DATE

On passage, or, if the bill does not receive the necessary vote, September 1, 2023.

COMPARISON OF INTRODUCED AND SUBSTITUTE

While C.S.H.B. 1342 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 changes the deadline by which DFPS or a single source continuum contractor must share information that is necessary to improve and maintain community safety or that assists a juvenile justice agency in the continuation of services for or providing services to a multi-system youth from immediately, as in the introduced, to as soon as practicable.

The substitute changes the deadline by which DFPS must provide information concerning a child's foster care history from not later than the 14th day after receiving the request to as soon as practicable after that date and changes the entity from which DFPS receives the request from a local juvenile probation department to a state or local juvenile justice agency, whereas the introduced did not make those changes to statute.