

By: Craddick, Cook, Martinez Fischer, Dutton,
Talarico

H.B. No. 458

Substitute the following for H.B. No. 458:

By: Dutton

C.S.H.B. No. 458

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the period within which the Texas Juvenile Justice
3 Department must accept custody of a person committed to the
4 department and to the consequences for the failure of the
5 department to accept custody of the person within that period.

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

7 SECTION 1. Section 54.04, Family Code, is amended by adding
8 Subsections (s) and (t) to read as follows:

9 (s) If the judge orders a disposition under this section
10 sentencing a person to commitment in the Texas Juvenile Justice
11 Department, the department shall accept custody of the person not
12 later than the 30th day after the date on which the judge signs the
13 disposition order committing the person to the department.

14 (t) If the Texas Juvenile Justice Department does not take
15 custody of a person within the period prescribed by Subsection (s),
16 the department shall compensate the county for the cost of
17 detention for each day that the person remains detained in a
18 facility operated by or under contract with the county following
19 the expiration of that period. The compensation must be equal to
20 the amount that would have been incurred by the department to detain
21 the person for that period.

22 SECTION 2. Section 243.002, Human Resources Code, is
23 amended by adding Subsection (c) to read as follows:

24 (c) Beginning on the 31st day after the date the child is

1 committed to the department, the department shall give credit
2 toward the minimum length of stay established for the child for time
3 spent in a pre-adjudication secure detention facility before the
4 child's transfer to the department.

5 SECTION 3. This Act takes effect January 1, 2024.