

BILL ANALYSIS

H.B. 4263
By: Cook
Criminal Jurisprudence
Committee Report (Unamended)

BACKGROUND AND PURPOSE

The Texas Juvenile Justice Department (TJJD), in its agency strategic plan, has identified several statutory barriers that limit its ability to manage personnel effectively and maintain safe, well-staffed facilities. Some of the issues identified in this plan include the ability for juvenile correctional officers to receive compensation for unused vacation leave, the makeup of the release review panel, and the statutory requirement for independent dismissal mediation. H.B. 4263 seeks to address these issues by revising applicable statutory provisions to give TJJD greater operational flexibility and to improve workforce retention and decision-making processes.

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

H.B. 4263 amends the Human Resources Code to replace the requirement for the Texas Juvenile Justice Department (TJJD) to establish procedures and practices governing disciplinary actions within TJJD, including a procedure allowing a TJJD employee to elect to participate in an independent dismissal mediation if the employee is recommended for dismissal, with a requirement for TJJD to establish procedures and practices governing grievances challenging disciplinary termination of employment. The bill requires TJJD to establish those procedures and practices as soon as practicable after the bill's effective date.

H.B. 4263 requires TJJD to adopt a policy allowing juvenile correctional officers, defined by reference as TJJD employees whose primary duties include the custodial supervision of children in TJJD custody, one time during a fiscal year, to elect to receive a lump-sum payment for the officer's accumulated vacation leave in lieu of taking the leave. The bill caps the number of hours of accumulated vacation leave for which a juvenile correctional officer may be paid under such a policy at 40 hours of accumulated vacation leave or all of the officer's accumulated vacation leave, whichever is less. The bill requires TJJD, if it pays a juvenile correctional officer for the officer's accumulated vacation leave under the policy, to do the following:

- compute the amount of the payment by multiplying the officer's hourly rate of compensation on the date the officer notifies TJJD of an election by the number of hours of accumulated vacation leave for which the officer elects to be paid; and
- on making the payment, deduct the number of hours for which the officer received payment from the officer's accumulated vacation leave balance.

H.B. 4263 revises the criteria relating to the membership of a panel for reviewing and determining whether a child who has completed the child's minimum length of stay should be discharged from the custody of TJJD, be released under supervision, or remain in TJJD custody for an additional period of time as follows:

- removes the requirement that a TJJD employee who is appointed to the panel be an employee who works at TJJD's central office; and
- clarifies that the prohibition against a member of the panel being involved in any supervisory decisions concerning children in TJJD custody applies with respect to any determination relating to the release of a juvenile from a secure facility concerning a child in TJJD custody for whom that panel member has made a supervisory decision.

EFFECTIVE DATE

September 1, 2025.