

BILL ANALYSIS

S.B. 1437
By: Bettencourt
Criminal Jurisprudence
Committee Report (Unamended)

BACKGROUND AND PURPOSE

During the 88th Regular Session, the Texas Legislature passed legislation allowing the Texas Juvenile Justice Department (TJJD) to designate TJJD employees as permanently ineligible for certification if they engage in conduct that poses a threat to juvenile safety. This results in those individuals being placed on what is commonly known as the Do Not Hire List. This was in addition to TJJD's authority to revoke the certification of individuals employed by local juvenile probation departments or facilities who held a certification from TJJD. The bill sponsor has informed the committee that expanding the scope of this list to include TJJD contractors and volunteers as well as individuals employed by, under contract with, or volunteering for juvenile probation departments or registered juvenile facilities that engage in such conduct will strengthen oversight and accountability within the juvenile justice system. S.B. 1437 seeks to address this issue by ensuring that these individuals can be made permanently ineligible for certification if they commit certain misconduct.

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

S.B. 1437 amends the Human Resources Code to expand the applicability of provisions relating to the ineligibility of certain juvenile officers or employees of a juvenile facility for certification or provisional certification as a result of certain conduct to include an individual, regardless of whether the individual holds such a certification, and who is or was employed by, under contract with, or volunteering for the Texas Juvenile Justice Department (TJJD), a juvenile probation department, or a juvenile facility registered with TJJD. The bill replaces the authorization for TJJD to designate as permanently ineligible for such certification an individual who has been terminated from employment with TJJD for engaging in conduct that demonstrates the individual is not suitable for certification with an authorization for TJJD to do so if either of the following circumstances applies:

- the individual, while employed by, under contract with, or volunteering for TJJD, a juvenile probation department, or a juvenile facility registered with TJJD engaged in conduct that violates provisions relating to the standards for and regulation of certain juvenile officers and employees or a TJJD rule or that demonstrates the individual is not suitable for certification; or
- a panel of three Texas Juvenile Justice Board members determines the individual's certification would threaten juveniles in the juvenile justice system.

EFFECTIVE DATE

September 1, 2025.