

By: Bettencourt

S.B. No. 1437

A BILL TO BE ENTITLED

AN ACT

relating to the eligibility of certain individuals for certification as certain juvenile officers or employees of a juvenile facility.

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

SECTION 1. Section 222.054, Human Resources Code, is amended by adding Subsection (a-1) and amending Subsections (b), (c), and (d) to read as follows:

(a-1) This section applies to an individual, regardless of whether the individual holds a certification under this chapter, who is or was employed by, under contract with, or volunteering for:

(1) the department;

(2) a juvenile probation department; or

(3) a juvenile facility registered with the department.

(b) Subject to Subsection (d), the [The] department may designate as permanently ineligible for certification under this chapter an individual to whom this section applies if:

(1) while employed by, under contract with, or volunteering for an entity described by Subsection (a-1), the individual engaged [who has been terminated from employment with the department for engaging] in conduct that:

(A) violates this chapter or a department rule;

or

1 (B) demonstrates the individual is not suitable
2 for certification under this chapter; or

3 (2) a panel under Subsection (c) determines the
4 individual's certification would threaten juveniles in the
5 juvenile justice system.

6 (c) The executive director may convene, in person or
7 telephonically, a panel of three board members to determine if the
8 ~~[a former department employee's]~~ continued eligibility of an
9 individual to whom this section applies to obtain a certification
10 under this chapter threatens juveniles in the juvenile justice
11 system. If the panel determines an individual's eligibility for
12 certification threatens juveniles in the juvenile justice system,
13 the department shall temporarily designate the individual as
14 ineligible for certification until an administrative hearing is
15 held under Subsection (d). The hearing must be held as soon as
16 possible following the temporary designation. The executive
17 director may convene a panel under this subsection only if the
18 danger posed by the person's continued eligibility for
19 certification is imminent. The panel may hold a telephonic meeting
20 only if immediate action is required and convening the panel at one
21 location is inconvenient for any member of the panel.

22 (d) A person is entitled to a hearing before the State
23 Office of Administrative Hearings if the department proposes to
24 designate a person as permanently ineligible for certification as
25 provided by Subsection (b).

26 SECTION 2. This Act takes effect September 1, 2025.