By: Bettencourt S.B. No. 1437

## A BILL TO BE ENTITLED

| 1  | AN ACT  |
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| 2  | relating to the eligibility of certain individuals for                      |
| 3  | certification as certain juvenile officers or employees of a                |
| 4  | juvenile facility.  |
| 5  | BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:                     |
| 6  | SECTION 1. Section 222.054, Human Resources Code, is                        |
| 7  | amended by adding Subsection (a-1) and amending Subsections (b),            |
| 8  | (c), and (d) to read as follows:  |
| 9  | (a-1) This section applies to an individual, regardless of                  |
| 10 | whether the individual holds a certification under this chapter,            |
| 11 | who is or was employed by, under contract with, or volunteering for:        |
| 12 | (1) the department;   |
| 13 | (2) a juvenile probation department; or                                     |
| 14 | (3) a juvenile facility registered with the                                 |
| 15 | department.   |
| 16 | (b) <u>Subject to Subsection (d), the</u> [ <del>The</del> ] department may |
| 17 | designate as permanently ineligible for certification under this            |
| 18 | chapter an individual to whom this section applies if:                      |
| 19 | (1) while employed by, under contract with, or                              |
| 20 | volunteering for an entity described by Subsection (a-1), the               |
| 21 | individual engaged [who has been terminated from employment with            |
| 22 | the department for engaging] in conduct that:                               |
|    |   |

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or

(A) violates this chapter or a department rule;

- 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 o
- 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.