

SENATE AMENDMENTS
2nd Printing

By: Cook

H.B. No. 4263

A BILL TO BE ENTITLED

AN ACT

relating to the employment practices of the Texas Juvenile Justice Department and to the eligibility of a person to be appointed to the Texas Juvenile Justice Department's release review panel and the authority of a panel member.

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

SECTION 1. Section 242.004(c), Human Resources Code, is amended to read as follows:

(c) The department shall establish procedures and practices governing:

(1) employment-related grievances submitted by department employees; and

(2) grievances challenging disciplinary termination of employment ~~[disciplinary actions within the department, including a procedure allowing a department employee to elect to participate in an independent dismissal mediation if the employee is recommended for dismissal]~~.

SECTION 2. Subchapter A, Chapter 242, Human Resources Code, is amended by adding Section 242.012 to read as follows:

Sec. 242.012. PAYMENT FOR VACATION LEAVE FOR JUVENILE CORRECTIONAL OFFICERS. (a) In this section, "juvenile correctional officer" has the meaning assigned by Section 242.009.

(b) The department may adopt a policy allowing juvenile correctional officers, one time during a fiscal year, to elect to

1 receive a lump-sum payment for the officer's accumulated vacation
2 leave in lieu of taking the leave.

3 (c) The number of hours of accumulated vacation leave for
4 which a juvenile correctional officer may be paid under a policy
5 authorized by this section may not exceed all of the officer's
6 accumulated vacation leave or 40 hours of accumulated vacation
7 leave, whichever is less.

8 (d) If the department pays a juvenile correctional officer
9 for the officer's accumulated vacation leave under a policy
10 authorized by this section, the department shall:

11 (1) compute the amount of the payment by multiplying
12 the officer's hourly rate of compensation on the date the officer
13 notifies the department of an election by the number of hours of
14 accumulated vacation leave for which the officer elects to be paid;
15 and

16 (2) on making the payment, deduct the number of hours
17 for which the officer received payment from the officer's
18 accumulated vacation leave balance.

19 SECTION 3. Section 245.101(c), Human Resources Code, is
20 amended to read as follows:

21 (c) The executive director shall determine the size of the
22 panel described by Subsection (b) and the length of the members'
23 terms of service on the panel. The panel must consist of an odd
24 number of members and the terms of the panel's members must last for
25 at least two years. The executive director shall adopt policies
26 that ensure the transparency, consistency, and objectivity of the
27 panel's composition, procedures, and decisions. The executive

1 director shall appoint persons to serve as members of the panel. A
2 person appointed to the panel must be a department employee [~~who~~
3 ~~works at the department's central office~~]. A member of the panel
4 may not be involved in any determination under this chapter
5 [~~supervisory decisions~~] concerning a child [~~children~~] in the
6 custody of the department for whom that panel member has made a
7 supervisory decision.

8 SECTION 4. As soon as practicable after the effective date
9 of this Act, the Texas Juvenile Justice Department shall establish
10 the procedures and practices required by Section 242.004(c), Human
11 Resources Code, as amended by this Act.

12 SECTION 5. This Act takes effect September 1, 2025.

ADOPTED

MAY 23 2025

Lately Law
Secretary of the Senate

Chad Perry

By: _____

H.B. No. 4263

Substitute the following for H.B. No. 4263:

By: *Peter P. Flores*

C.S. H.B. No. 4263

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the procedures and practices of the Texas Juvenile
3 Justice Department regarding grievances submitted by department
4 employees and former department employees and to the eligibility of
5 a person to be appointed to the department's release review panel
6 and the authority of a panel member.

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

8 SECTION 1. Section 242.004(c), Human Resources Code, is
9 amended to read as follows:

10 (c) The department shall establish procedures and practices
11 governing:

12 (1) employment-related grievances submitted by
13 department employees; and

14 (2) grievances challenging disciplinary termination
15 of employment [~~disciplinary actions within the department,~~
16 ~~including a procedure allowing a department employee to elect to~~
17 ~~participate in an independent dismissal mediation if the employee~~
18 ~~is recommended for dismissal]~~.

19 SECTION 2. Section 245.101(c), Human Resources Code, is
20 amended to read as follows:

21 (c) The executive director shall determine the size of the
22 panel described by Subsection (b) and the length of the members'
23 terms of service on the panel. The panel must consist of an odd
24 number of members and the terms of the panel's members must last for

1 at least two years. The executive director shall adopt policies
2 that ensure the transparency, consistency, and objectivity of the
3 panel's composition, procedures, and decisions. The executive
4 director shall appoint persons to serve as members of the panel. A
5 person appointed to the panel must be a department employee [~~who~~
6 ~~works at the department's central office~~]. A member of the panel
7 may not be involved in any determination under this chapter
8 [~~supervisory decisions~~] concerning a child [~~children~~] in the
9 custody of the department for whom that panel member has made a
10 supervisory decision.

11 SECTION 3. As soon as practicable after the effective date
12 of this Act, the Texas Juvenile Justice Department shall establish
13 the procedures and practices required by Section 242.004(c), Human
14 Resources Code, as amended by this Act.

15 SECTION 4. This Act takes effect September 1, 2025.

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 89TH LEGISLATIVE REGULAR SESSION

May 24, 2025

TO: Honorable Dustin Burrows, Speaker of the House, House of Representatives

FROM: Jerry McGinty, Director, Legislative Budget Board

IN RE: HB4263 by Cook (Relating to the procedures and practices of the Texas Juvenile Justice Department regarding grievances submitted by department employees and former department employees and to the eligibility of a person to be appointed to the department's release review panel and the authority of a panel member.), **As Passed 2nd House**

No significant fiscal implication to the State is anticipated.

It is assumed that any costs associated with the bill could be absorbed using existing resources.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies:

LBB Staff: JMc, SD, MGol, CSh, AF

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 89TH LEGISLATIVE REGULAR SESSION

May 21, 2025

TO: Honorable Pete Flores, Chair, Senate Committee on Criminal Justice

FROM: Jerry McGinty, Director, Legislative Budget Board

IN RE: HB4263 by Cook (relating to the procedures and practices of the Texas Juvenile Justice Department regarding grievances submitted by department employees and former department employees and to the eligibility of a person to be appointed to the department ' s release review panel and the authority of a panel member.), **Committee Report 2nd House, Substituted**

No significant fiscal implication to the State is anticipated.

It is assumed that any costs associated with the bill could be absorbed using existing resources.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies:

LBB Staff: JMc, MGol, CSh, AF

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 89TH LEGISLATIVE REGULAR SESSION

May 19, 2025

TO: Honorable Pete Flores, Chair, Senate Committee on Criminal Justice

FROM: Jerry McGinty, Director, Legislative Budget Board

IN RE: HB4263 by Cook (Relating to the employment practices of the Texas Juvenile Justice Department and to the eligibility of a person to be appointed to the Texas Juvenile Justice Department's release review panel and the authority of a panel member.), **As Engrossed**

The fiscal implications of the bill cannot be determined due to the unknown number of Juvenile Correctional Officers that may elect to take a lump sum payment in lieu of using accrued leave.

The bill would require the Texas Juvenile Justice Department (TJJD) to adopt a policy that would allow Juvenile Correctional Officers (JCOs) to elect to receive a one-time lump sum payment once per fiscal year in lieu of using accumulated leave. The amount of leave may not exceed 40 hours.

According to TJJD, the average number of accrued leave for direct care staff including JCOs is 147 hours and the maximum fiscal impact should every JCO opt for the lump sum would be approximately \$2,300,000 per fiscal year. However, the number of JCOs that may elect to take a lump sum payment in lieu of using accrued leave is unknown, therefore the exact fiscal impact on the agency cannot be determined.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies:

LBB Staff: JMc, MGol, CSh, AF

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE, 89TH LEGISLATIVE REGULAR SESSION

April 13, 2025

TO: Honorable John T. Smithee, Chair, House Committee on Criminal Jurisprudence

FROM: Jerry McGinty, Director, Legislative Budget Board

IN RE: HB4263 by Cook (Relating to the employment practices of the Texas Juvenile Justice Department and to the eligibility of a person to be appointed to the Texas Juvenile Justice Department's release review panel and the authority of a panel member.), **As Introduced**

The fiscal implications of the bill cannot be determined due to the unknown number of Juvenile Correctional Officers that may elect to take a lump sum payment in lieu of using accrued leave.

The bill would require the Texas Juvenile Justice Department (TJJD) to adopt a policy that would allow Juvenile Correctional Officers (JCOs) to elect to receive a one-time lump sum payment once per fiscal year in lieu of using accumulated leave. The amount of leave may not exceed 40 hours.

According to TJJD, the average number of accrued leave for direct care staff including JCOs is 147 hours and the maximum fiscal impact should every JCO opt for the lump sum would be approximately \$2,300,000 per fiscal year. However, the number of JCOs that may elect to take a lump sum payment in lieu of using accrued leave is unknown, therefore the exact fiscal impact on the agency cannot be determined.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies:

LBB Staff: JMc, MGol, CSh, AF

LEGISLATIVE BUDGET BOARD

Austin, Texas

CRIMINAL JUSTICE IMPACT STATEMENT

89TH LEGISLATIVE REGULAR SESSION

April 13, 2025

TO: Honorable John T. Smithee, Chair, House Committee on Criminal Jurisprudence

FROM: Jerry McGinty, Director, Legislative Budget Board

IN RE: HB4263 by Cook (Relating to the employment practices of the Texas Juvenile Justice Department and to the eligibility of a person to be appointed to the Texas Juvenile Justice Department's release review panel and the authority of a panel member.), **As Introduced**

The bill would not expressly create a felony offense, increase the punishment for an existing misdemeanor to that of a felony, increase the punishment for an existing felony offense or category of felony level offenses, or change the eligibility of a person for felony community supervision, parole, or mandatory supervision. It is assumed that any impact on state correctional populations or on the demand for state correctional resources would not be significant.

Source

Agencies:

LBB Staff: JMc, MGol