

By: Dukes

H.B. No. 1144

A BILL TO BE ENTITLED

AN ACT

relating to establishing a task force to examine the adjudication,  
disposition, and registration of juvenile sex offenders.

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

SECTION 1. TASK FORCE ON IMPROVING OUTCOMES FOR JUVENILES  
ADJUDICATED OF SEXUAL OFFENSES. (a) In this Act:

(1) "Juvenile sex offender" means a person subject to  
the jurisdiction of a juvenile court for conduct that constitutes  
an offense for which registration as a sex offender is required  
under Chapter 62, Code of Criminal Procedure.

(2) "Task force" means the Task Force on Improving  
Outcomes for Juveniles Adjudicated of Sexual Offenses.

(b) The Task Force on Improving Outcomes for Juveniles  
Adjudicated of Sexual Offenses is established. The purpose of the  
task force is to make policy recommendations to improve the  
outcomes for juvenile sex offenders after studying:

(1) the adjudication and disposition processes and  
programs for juvenile sex offenders;

(2) counseling, mental health, or other services  
provided by the state or local juvenile probation departments to  
juvenile sex offenders;

(3) the sex offender registration process for  
juveniles; and

(4) any other issue related to improving the outcomes

1 for juvenile sex offenders.

2 (c) The task force is composed of the following members:

3 (1) the executive director of the Texas Juvenile  
4 Justice Department or the executive director's designee;

5 (2) the commissioner of the Department of Family and  
6 Protective Services or the commissioner's designee;

7 (3) one representative designated by the Crime Records  
8 Service of the Department of Public Safety who has experience with  
9 the department's sex offender registry;

10 (4) one representative designated by the Council on  
11 Sex Offender Treatment;

12 (5) one representative designated by Children's  
13 Advocacy Centers of Texas;

14 (6) one representative designated by the Texas  
15 Association for the Protection of Children;

16 (7) one representative designated by Texans Care for  
17 Children;

18 (8) one private provider of juvenile sex offender  
19 treatment from a rural county and one private provider of juvenile  
20 sex offender treatment from an urban county, appointed by the  
21 governor;

22 (9) one judge from a rural county and one judge from an  
23 urban county, appointed by the governor;

24 (10) one law enforcement official from a rural county  
25 and one law enforcement official from an urban county, appointed by  
26 the governor;

27 (11) one prosecutor from a rural county and one

1 prosecutor from an urban county, appointed by the governor;

2           (12) one juvenile probation officer from a rural  
3 county and one juvenile probation officer from an urban county,  
4 appointed by the governor; and

5           (13) one juvenile public defender from a rural county  
6 and one juvenile public defender from an urban county, appointed by  
7 the governor.

8           (d) The governor shall designate a member of the task force  
9 to serve as presiding officer.

10          (e) The presiding officer may designate additional experts  
11 to serve as advisors to the task force.

12          (f) A person designated to make an appointment of a member  
13 of the task force shall make the appointment not later than the 60th  
14 day after the effective date of this Act. The designated person  
15 shall fill a vacancy in the task force or a vacancy in the position  
16 of presiding officer of the task force by the appointment of another  
17 person with the same qualifications as the original appointee.

18          (g) The presiding officer shall call the initial meeting of  
19 the task force on or before December 1, 2015. The task force shall  
20 meet at the times and places that the presiding officer determines  
21 are appropriate.

22          (h) A member of the task force is not entitled to  
23 compensation but may receive reimbursement for the member's actual  
24 and necessary expenses incurred in attending meetings of the task  
25 force and performing other official duties authorized by the  
26 presiding officer of the task force, if funding is available.

27          (i) The task force may request meeting facilities, data,

1 clerical assistance, and other assistance from any department,  
2 agency, institution, office, or political subdivision of this  
3 state.

4 (j) The task force may consult with any relevant experts and  
5 stakeholders, including:

- 6 (1) juvenile sex offenders;
- 7 (2) family members of juvenile sex offenders;
- 8 (3) mental health experts;
- 9 (4) public school district administrators; and
- 10 (5) higher education administrators.

11 (k) State funds may not be appropriated for purposes of the  
12 task force. The task force may apply for, receive, and accept  
13 grants of funds or other contributions as appropriate to assist in  
14 the performance of its duties. The task force may contract for  
15 consultants or technical assistance.

16 (l) The task force is not subject to Chapter 2110,  
17 Government Code.

18 SECTION 2. DUTIES OF TASK FORCE. (a) The task force shall:

19 (1) solicit and review information and hear testimony  
20 relevant to the purposes of the task force from individuals, state  
21 and local agencies, community-based organizations, and other  
22 public and private organizations;

23 (2) review the adjudication and disposition processes  
24 and programs for juvenile sex offenders, including:

25 (A) the consistency in adjudication and  
26 disposition processes across the state;

27 (B) the training provided to judges, law

1 enforcement officers, parole and probation officers, and other  
2 juvenile service providers on the differences between juvenile and  
3 adult sex offenders regarding the potential for rehabilitation  
4 through treatment; and

5 (C) training provided to judges, law enforcement  
6 officers, parole and probation officers, and other juvenile service  
7 providers regarding the most effective way to protect the community  
8 by reducing recidivism rates among juvenile sex offenders;

9 (3) review juvenile sex offender registration,  
10 including:

11 (A) the effectiveness of juvenile sex offender  
12 registration in reducing recidivism rates;

13 (B) statistical information regarding juveniles  
14 required to register as sex offenders;

15 (C) the impact of juvenile sex offender  
16 registration on a juvenile, including a juvenile's ability to  
17 access education, obtain housing, and gain employment; and

18 (D) the impact of labeling a juvenile as a  
19 juvenile sex offender on the family of the juvenile;

20 (4) review counseling, mental health, or other  
21 services provided to juvenile sex offenders, including:

22 (A) the effectiveness of the services in the  
23 rehabilitation of juvenile sex offenders and the reduction of  
24 recidivism rates; and

25 (B) the current shortage of juvenile sex offender  
26 service providers; and

27 (5) review statistical information regarding the

1 frequency of juvenile sex offenders being victims of abuse or  
2 neglect or witnesses to family violence.

3 (b) The task force shall adopt rules necessary to fulfill  
4 the task force's duties under this Act.

5 SECTION 3. REPORT. (a) The task force shall prepare a  
6 report that includes:

7 (1) a description of the activities of the task force;  
8 (2) the findings and recommendations of the task  
9 force, including proposed policy recommendations related to:

10 (A) the provision of coordinated support  
11 services to juvenile sex offenders; and

12 (B) the most effective strategy to reduce  
13 recidivism rates and improve outcomes for juvenile sex offenders;  
14 and

15 (3) any related proposals for legislation or other  
16 matters the task force considers appropriate.

17 (b) Not later than December 1, 2016, the task force shall  
18 deliver the report of the task force's findings and recommendations  
19 to:

20 (1) the governor;  
21 (2) the lieutenant governor;  
22 (3) the speaker of the house of representatives;  
23 (4) the standing committees of each house of the  
24 legislature with primary jurisdiction over criminal justice  
25 matters;

26 (5) the executive director of the Texas Department of  
27 Criminal Justice;

1           (6) the executive director of the Texas Juvenile  
2 Justice Department;

3           (7) each state agency and nonprofit organization  
4 represented on the task force; and

5           (8) any other appropriate agency of this state.

6       SECTION 4. EXPIRATION. The task force is abolished and this  
7 Act expires September 1, 2017.

8       SECTION 5. EFFECTIVE DATE. This Act takes effect  
9 immediately if it receives a vote of two-thirds of all the members  
10 elected to each house, as provided by Section 39, Article III, Texas  
11 Constitution. If this Act does not receive the vote necessary for  
12 immediate effect, this Act takes effect September 1, 2015.