

## **BILL ANALYSIS**

H.B. 2992  
By: Turner, Sylvester  
Juvenile Justice & Family Issues  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

Interested parties note that a rider in the General Appropriations Act established certain performance measures for the Texas Juvenile Justice Department (TJJD) to ensure that TJJD is operating effectively. H.B. 2992 seeks to ensure that these requirements are provided for in statute and to address certain issues regarding the education of a student in a juvenile justice alternative education program.

### **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**

H.B. 2992 amends the Education Code to require the Texas Juvenile Justice Department (TJJD) to ensure that a juvenile justice alternative education program (JJAEP) prioritizes reading at grade level and preparation for the general education development test. The bill requires TJJD to ensure that a JJAEP is held accountable for student academic and behavioral success and to submit a performance assessment report regarding JJAEPs to the Legislative Budget Board (LBB) and the governor on or before May 1 of each even-numbered year. The bill sets out the required contents of the report.

H.B. 2992 amends the Human Resources Code to require TJJD to maintain a specific accountability system for tracking funds targeted at making a positive impact on youth and to implement a tracking and monitoring system so that the use of all funds appropriated can be specifically identified and reported to the LBB in TJJD's annual financial report to be delivered not later than December 1 of each year. The bill expands the information required to be included in TJJD's annual financial report. The bill requires TJJD to report juvenile probation population data as requested by the LBB on a monthly basis for the most recent month available on all populations specified by the LBB. The bill requires TJJD to submit end-of-fiscal-year data indicating each reporting county to the LBB not later than two months after the last day of each fiscal year. The bill requires TJJD to use the LBB's population projections for probation supervision and state correctional populations when developing TJJD's legislative appropriations requests. The bill requires TJJD, on request of the LBB, to report expenditure data by strategy, by program, or in any other format requested.

H.B. 2992 requires TJJD to distribute grant funds for the purpose of providing programs for the diversion of youth from TJJD and to maintain a mechanism for tracking youth served by the

diversion programs to determine the long-term success for diverting youth from state juvenile correctional incarceration and the adult criminal justice system. The bill requires a report on the programs' results to be included in TJJD's annual financial report on or before December 1 of each year. The bill requires TJJD to submit a report containing statistical information regarding the performance of students of TJJD's educational programs on the Test of Adult Basic Education to the LBB and the governor on or before December 1 of each even-numbered year.

H.B. 2992 requires TJJD to provide technical assistance on program design and evaluation for programs operated by juvenile probation departments.

H.B. 2992 requires TJJD's employee disciplinary and grievance procedures to be substantially equivalent to the Texas Department of Criminal Justice's employee disciplinary and grievance procedures. The bill requires TJJD's disciplinary procedures to allow a TJJD employee to be represented by a designee of the employee's selection who is authorized to participate in a hearing on behalf of an employee charged with any type of disciplinary violation. The bill requires TJJD's grievance procedures to attempt to solve problems through a process that recognizes the employee's right to bring a grievance under TJJD procedures and to include independent mediation or independent, nonbinding arbitration of a dispute between the employer and the employee if the disciplining authority recommends that the employee be terminated or the employee is terminated.

H.B. 2992 requires TJJD to certify to the Department of Family and Protective Services that federal financial participation can be claimed under the federal Social Security Act for certain services provided to a child by a county. The bill requires TJJD to direct necessary general revenue funding to ensure that the amount of such federal funds received is maximized for use by participating counties and to use the federal funds received for the purpose of reimbursing counties for services provided to eligible children. The bill requires TJJD, when reporting federal funds to the LBB, to report funds expended in the fiscal year that the funds are disbursed to counties, regardless of the year in which the claim was made by the county, received by TJJD, or certified by TJJD.

H.B. 2992 requires TJJD to develop an approach to deliver the health care and psychiatric services it provides to children in TJJD custody at the best value possible.

#### **EFFECTIVE DATE**

On passage, or, if the bill does not receive the necessary vote, September 1, 2015.