

BILL ANALYSIS

Senate Research Center
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C.S.H.B. 3309
By: Bolton et al. (Hinojosa)
Criminal Justice
5/18/2007
Committee Report (Substituted)

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Although the most notorious cases of abuse have been at the West Texas facility of the Texas Youth Commission (TYC), the rape, abuse, and mistreatment of inmates at facilities across the state has been prevalent for many years. The abuse of many of these inmates and the lack of care and attention they received afterwards has recently come to lawmakers' attention. There is no indication that these victims of sexual assault have had any access to rape crisis counseling or to any advocacy and support groups that may provide information, support, and other services.

C.S.H.B. 3309 adds advocacy and support groups for victims of sexual assault to the list of individuals, groups, and organizations whom TYC shall allow to provide services in its facilities. This bill requires TYC to adopt certain procedures and standards to ensure confidential correspondence between children confined in TYC and advocacy and support groups.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Subchapter C, Chapter 61, Human Resources Code, by adding Section 61.0386, as follows:

Sec. 61.0386. **ADVOCACY AND SUPPORT GROUPS FOR VICTIMS OF SEXUAL ASSAULT.** (a) Requires the Texas Youth Commission (TYC) to allow advocacy and support groups whose primary functions are to benefit children, inmates, girls and women, the mentally ill, and victims of sexual assault to provide on-site information, support, and other services (services) for children confined in TYC facilities.

(b) Requires TYC to adopt security and privacy procedures for advocacy and support groups that provide services under this section. Prohibits the security and privacy procedures from being designed to deny an advocacy or support group access to children confined in TYC facilities.

(c) Requires TYC to adopt standards consistent with standards adopted by the Texas Department of Criminal Justice regarding the confidential correspondence of children confined in TYC facilities with external entities, including advocacy and support groups.

SECTION 2. Effective date: upon passage or September 1, 2007.