

1-1 By: Guillen (Senate Sponsor - Whitmire) H.B. No. 3648  
1-2 (In the Senate - Received from the House May 6, 2019;  
1-3 May 7, 2019, read first time and referred to Committee on Criminal  
1-4 Justice; May 15, 2019, reported adversely, with favorable  
1-5 Committee Substitute by the following vote: Yeas 6, Nays 0;  
1-6 May 15, 2019, sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-9 Whitmire	X			
1-10 Huffman	X			
1-11 Buckingham	X			
1-12 Flores	X			
1-13 Hughes			X	
1-14 Miles	X			
1-15 Perry	X			

1-16 COMMITTEE SUBSTITUTE FOR H.B. No. 3648 By: Whitmire

1-17 A BILL TO BE ENTITLED  
1-18 AN ACT

1-19 relating to the powers and duties of the office of independent  
1-20 ombudsman for the Texas Juvenile Justice Department.

1-21 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-22 SECTION 1. Section 261.001, Human Resources Code, is  
1-23 amended by amending Subdivision (1) and adding Subdivision (1-a) to  
1-24 read as follows:

1-25 (1) "Child" means an individual who is:

1-26 (A) 10 years of age or older and younger than 19  
1-27 years of age; and  
1-28 (B) committed to or placed in a facility  
1-29 described by Section 261.101(f) by an order issued by a juvenile  
1-30 court.

1-31 (1-a) "Independent ombudsman" means the individual  
1-32 who has been appointed under this chapter to the office of  
1-33 independent ombudsman.

1-34 SECTION 2. Section 261.101, Human Resources Code, is  
1-35 amended by adding Subsection (f) to read as follows:

1-36 (f) Notwithstanding any other provision of this chapter,  
1-37 the powers of the office include:

1-38 (1) the inspection of:  
1-39 (A) a facility operated by the department under

1-40 Subtitle C;

1-41 (B) a post-adjudication secure correctional  
1-42 facility under Section 51.125, Family Code;

1-43 (C) a nonsecure correctional facility under  
1-44 Section 51.126, Family Code; and

1-45 (D) any other residential facility in which a  
1-46 child adjudicated as having engaged in conduct indicating a need  
1-47 for supervision or delinquent conduct is placed by court order; and

1-48 (2) the investigation of complaints alleging a  
1-49 violation of the rights of the children committed to or placed in a  
1-50 facility described by this subsection.

1-51 SECTION 3. The following provisions of the Human Resources  
1-52 Code are repealed:

1-53 (1) Section 261.101(e), as added by Section 11(b),  
1-54 Chapter 854 (S.B. 1149), Acts of the 84th Legislature, Regular  
1-55 Session, 2015; and

1-56 (2) Section 261.101(e), as amended by Chapter 962  
1-57 (S.B. 1630), Acts of the 84th Legislature, Regular Session, 2015.

1-58 SECTION 4. This Act takes effect September 1, 2019.