

1-1 By: Kitzman, et al. (Senate Sponsor - Huffman) H.B. No. 3120  
 1-2 (In the Senate - Received from the House May 6, 2025;  
 1-3 May 7, 2025, read first time and referred to Committee on Local  
 1-4 Government; May 22, 2025, reported favorably by the following  
 1-5 vote: Yeas 6, Nays 0; May 22, 2025, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7 Bettencourt	X			
1-8 Middleton	X			
1-9 Cook	X			
1-10 Gutierrez	X			
1-11 Nichols	X			
1-12 Paxton			X	
1-13 West	X			

1-15 A BILL TO BE ENTITLED  
 1-16 AN ACT

1-17 relating to certain duties of the owner or operator of a residential  
 1-18 child detention facility.

1-19 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-20 SECTION 1. Subchapter F, Chapter 411, Government Code, is  
 1-21 amended by adding Section 411.14103 to read as follows:

1-22 Sec. 411.14103. ACCESS TO CRIMINAL HISTORY RECORD  
 1-23 INFORMATION: RESIDENTIAL CHILD DETENTION FACILITIES. (a) In this  
 1-24 section, "residential child detention facility" has the meaning  
 1-25 assigned by Section 250.013, Local Government Code.

1-26 (b) The owner or operator of a residential child detention  
 1-27 facility is entitled to obtain from the department criminal history  
 1-28 record information maintained by the department that relates to a  
 1-29 person who is:

1-30 (1) an applicant for employment with, or who is or has  
 1-31 been employed by, the facility; or

1-32 (2) a consultant, contract employee, independent  
 1-33 contractor, intern, or volunteer for the facility or an applicant  
 1-34 to serve in one of those positions.

1-35 (c) Criminal history record information obtained by the  
 1-36 owner or operator under Subsection (b) may be used only to evaluate  
 1-37 an applicant for employment with, or a current or former employee  
 1-38 of, the facility.

1-39 (d) The owner or operator of a residential child detention  
 1-40 facility may not release or disclose information obtained under  
 1-41 Subsection (b) except on court order or with the consent of the  
 1-42 person who is the subject of the criminal history record  
 1-43 information.

1-44 (e) After the expiration of any probationary term of the  
 1-45 person's employment or not later than the 180th day after the date  
 1-46 of receipt of the information, whichever is later, the owner or  
 1-47 operator of the residential child detention facility shall destroy  
 1-48 all criminal history record information obtained under Subsection  
 1-49 (b).

1-50 SECTION 2. Section 250.013, Local Government Code, is  
 1-51 amended by amending Subsection (a) and adding Subsections (e) and  
 1-52 (f) to read as follows:

1-53 (a) In this section:

1-54 (1) "Owner or operator" includes a for-profit or  
 1-55 nonprofit organization.

1-56 (2) "Residential[~~, "residential~~] child detention  
 1-57 facility" means a private facility other than a facility licensed  
 1-58 by this state that operates under a contract with the United States  
 1-59 Immigration and Customs Enforcement, the United States Department  
 1-60 of Health and Human Services, or another federal agency to provide  
 1-61 24-hour custody or care to unaccompanied immigrant or refugee

2-1 children.

2-2 (e) The owner or operator of a residential child detention  
2-3 facility shall enter into a memorandum of understanding with the  
2-4 governing body of the municipality or the commissioners court of  
2-5 the county that regulates the facility under this section. The  
2-6 memorandum must require the facility to:

2-7 (1) report illness at the facility to the appropriate  
2-8 local health authority;

2-9 (2) provide to the governing body or court, as  
2-10 applicable:

2-11 (A) a description of the facility's methods for  
2-12 preventing illness;

2-13 (B) an emergency evacuation plan; and

2-14 (C) quarterly compliance and safety inspection  
2-15 reports; and

2-16 (3) provide to the municipal police department or  
2-17 county sheriff's department, as applicable:

2-18 (A) monthly facility occupancy records; and

2-19 (B) a quarterly summary of all facility incident  
2-20 reports and all significant incident reports.

2-21 (f) The owner or operator of a residential child detention  
2-22 facility shall conduct a criminal history background check on all  
2-23 facility personnel if at least 10 percent of the owner's,  
2-24 operator's, or facility's operating expenses are provided directly  
2-25 or indirectly by the state. Notwithstanding any other law, if the  
2-26 owner or operator fails to conduct the check, the facility is  
2-27 ineligible to receive state funding until the state conducts an  
2-28 audit of the facility and publishes a report of the audit that is  
2-29 available to the public.

2-30 SECTION 3. Not later than December 1, 2025, a residential  
2-31 child detention facility shall enter into a memorandum of  
2-32 understanding required by Section 250.013(e), Local Government  
2-33 Code, as added by this Act.

2-34 SECTION 4. This Act takes effect September 1, 2025.

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