

## CHAPTER 409

H.B. No. 2422

An Act relating to the Cass County Juvenile Board.

*Be it enacted by the Legislature of the State of Texas:*

**SECTION 1.** Chapter 478, Acts of the 54th Legislature, Regular Session, 1955 (Article 5139N, Vernon's Texas Civil Statutes), is amended to read as follows:

Sec. 1. There is hereby established the Cass County Juvenile Board, which shall be composed of the County Judge of Cass County and the Judge of each Judicial District which includes Cass County. The Judge of the *District* Court which is designated as the Juvenile Court for Cass County shall be chairman of the Board and its chief administrative officer.

Sec. 2. As compensation for the added duties imposed upon members of such Juvenile Board, each member thereof may be allowed additional compensation of not less than Six Hundred Dollars (\$600) per year and not to exceed Eighteen Hundred Dollars (\$1800) per year, to be fixed by the Commissioners Court of Cass County and paid monthly in twelve (12) equal installments out of the general fund of the county. Such compensation shall be in addition to all other compensation now provided or allowed by law for county judges and district judges.

Sec. 3. *The Juvenile Board shall hold regular quarterly meetings each year on dates fixed by the Juvenile Board and shall hold special meetings at the call of the chairman [The Cass County Juvenile Board shall have all the powers conferred on juvenile boards created under Article 5139 of the Revised Civil Statutes of 1925 and any amendments thereto. If the Juvenile Board determines that it is necessary to have a juvenile officer for Cass County, it may appoint a juvenile officer, whose salary shall be fixed by the Commissioners Court of Cass County in an amount not to exceed Three Thousand Dollars (\$3,000) per year, and whose allowance for expenses shall not exceed Five Hundred Dollars (\$500) per year. The juvenile officer shall have the powers and duties prescribed by Article 5142 of the Revised Civil Statutes of 1925 and any amendments thereto. All claims for expenses of the juvenile officer shall be certified by the chairman of the Juvenile Board as being necessary in the performance of the duties of the juvenile officer. The Commissioners Court of Cass County shall provide the necessary funds for payment of the salary and expenses of the juvenile officer].*

Sec. 4. *The Juvenile Board shall designate a person as fiscal officer. The fiscal officer shall deposit all state aid received under Chapter 75 of the Human Resources Code into a special fund to be used solely by the Juvenile Board for the provision of juvenile probation services.*

Sec. 5. *The Juvenile Board has all the powers conferred on juvenile boards created under Article 5139, Revised Statutes, or by other law.*

Sec. 6. *In addition to the duties imposed by general law, the Juvenile Board shall:*

(1) *establish a juvenile probation department and employ personnel who meet the standards set by the Texas Juvenile Probation Commission to conduct probation services;*

(2) *appoint, if more than one juvenile probation officer is required, a chief juvenile probation officer or director who, with the Juvenile Board's approval, shall appoint a sufficient number of assistants and other employees to carry on the professional, clerical, and other work of the Juvenile Board;*

(3) *designate one or more courts as a juvenile court and appoint referees as prescribed by Sections 51.04 and 54.10, Family Code;*

(4) *personally inspect the juvenile detention facilities of the county on at least an annual basis and certify in writing to the authorities responsible for operating and providing financial support to the facilities that the facilities are suitable or unsuitable for the detention of children as prescribed by Section 51.12, Family Code;*

(5) *report annually to the Commissioners Court on the suitability of the quarters and facilities of the Juvenile Court and make recommendations for improvements; and*

(6) *operate or supervise juvenile services at the county level and make recommendations as to the need for and purchase of services.*

Sec. 7. *The Juvenile Board shall:*

(1) *keep the financial and statistical records that the Texas Juvenile Probation Commission considers necessary; and*

(2) *submit periodic financial and statistical reports to the Texas Juvenile Probation Commission.*

Sec. 8. The Juvenile Board may appoint a person eligible for appointment under the standards prescribed by Chapter 75, Human Resources Code, to serve as chief probation officer. The chief probation officer shall appoint qualified assistant probation officers and other assistants whose services are necessary in the performance of the chief probation officer's official duties, subject to confirmation by the Juvenile Board. The Juvenile Board shall determine the number of assistant probation officers and other assistants. The Juvenile Board shall fix the salaries and allowances of the chief probation officer, assistant probation officers, and other assistants.

Sec. 9. (a) The salaries of juvenile personnel and other expenses essential to the adequate facilitation of youth served by the probation officers and Juvenile Board shall be paid by the Juvenile Board from the juvenile board fund to the extent of the state aid received in the fund. Other salaries and expenses essential to the adequate facilitation of youth served by the probation officers shall be set by the Juvenile Board and shall be provided by the Commissioners Court.

(b) All claims for expenses of the chief probation officer, the assistant probation officers, and other assistants shall be certified by the chairman of the Juvenile Board to the Commissioners Court as being necessary in the performance of the duties of such officers, and the Commissioners Court shall, out of the general fund, provide funds for the payment of all expenses necessary to carry out the duties of the chief probation officer in the amounts fixed by the Juvenile Board and certified by the chairman of the Juvenile Board.

(c) Juvenile probation officers shall be furnished transportation by the Juvenile Board or, alternatively, shall be entitled to an automobile allowance for use of a personal automobile on official business.

(d) The Juvenile Board is authorized to accept state aid and grants or gifts from the other political subdivisions of this state or from associations for the sole purpose of financing adequate and effective probation programs. For the purposes of this Act, an incorporated city, town, or village may grant and allocate such sums of money as its respective governing bodies may approve to the appropriate county government or juvenile board for the support and maintenance of effective programs. All grants, gifts, and allocations of the character and purpose described in this section shall be administered and accounted for separately from other public funds of the county. This Act does not disallow any program of local enrichment of juvenile services funded by any source.

Sec. 10. (a) If approved by the Juvenile Board, the Commissioners Court shall reimburse the Judge of the Juvenile Court for the actual and necessary expenses incurred in attending seminars and other educational or instructional meetings relating to juvenile matters. The expenses shall be paid from the general fund or any other available fund of the county.

(b) The Commissioners Court shall reimburse the members of the Juvenile Board for the members' reasonable and necessary expenses incurred in discharging their duties. Reimbursable expenses include, but are not limited to, funds expended for travel, lodging, training, and educational activities.

(c) The expenses provided in this section are in addition to the compensation provided for in Section 2 of this Act.

**SECTION 2.** Sections 1 and 5, Chapter 342, Acts of the 62nd Legislature, Regular Session, 1971 (Article 5139EEE, Vernon's Texas Civil Statutes), are amended to read as follows:

Sec. 1. (a) The Northeast Texas Juvenile Board has jurisdiction in the counties of Bowie [~~Case~~] and Red River.

(b) The board is composed of the county judges of Bowie [~~Case~~] and Red River Counties and the judges of each district court having jurisdiction in any of those counties.

Sec. 5. (a) The juvenile probation officers of Bowie [~~Case~~] and Red River Counties shall:

(1) investigate all cases referred to them by the juvenile courts or the juvenile board;

(2) be present in the juvenile court and represent the interests of the juvenile when the case is heard;

(3) furnish to the court and juvenile board any information or assistance required;

(4) take charge of any child before and after the trial; and

(5) perform other services for the child as may be required by the court.

(b) The juvenile probation officers of Bowie [~~Case~~] and Red River Counties have the powers granted to juvenile probation officers by general law.

**SECTION 3.** The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house be suspended, and this rule is hereby suspended, and that this Act take effect and be in force from and after its passage, and it is so enacted.

**CH 409**

**69th LEGIS—REGULAR SESSION**

Passed by the House on May 17, 1985, by the following vote: Yeas 134, Nays 0, 1 present, not voting; passed by the Senate on May 26, 1985, by the following vote: Yeas 31, Nays 0.

Approved: June 10, 1985

Effective: Immediately