

CHAPTER 293

S.B. No. 253

An Act relating to minimum standards for the detention of juveniles and the powers and duties of the Texas Juvenile Probation Commission; amending Subsection (c), Section 51.12, Family Code, as amended, and Section 75.041, Human Resources Code, as added.

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

SECTION 1. Subsection (c) of Section 51.12 of the Family Code, as amended, is amended to read as follows:

“(c) In each county, the judge of the juvenile court and the members of the juvenile board [~~if there is one;~~] shall personally inspect the detention facilities at least annually and shall certify in writing to the authorities responsible for operating and giving financial support to the facilities that they are suitable or unsuitable for the detention of children in accordance with:

“(1) the requirements of Subsection (a) of this section;

“(2) the requirements of Article 5115, Revised Civil Statutes of Texas, 1925, as amended, defining ‘safe and suitable jails,’ if the detention facility is a county jail; and

“(3) recognized professional standards for the detention of children *deemed appropriate by the board, which may include minimum standards promulgated by the Texas Juvenile Probation Commission. The juvenile board shall annually provide to the Texas Juvenile Probation Commission a copy of the standards used under this section.*”

SECTION 2. Section 75.041 of the Human Resources Code, as added, is amended to read as follows:

“Section 75.041. **STANDARDS FOR JUVENILE BOARDS, PROBATION OFFICERS, AND FACILITIES.** Based on local information and evidence gathered through public hearings around the state, the commission shall promulgate reasonable rules for juvenile boards, probation officers, programs, and facilities:

“(1) establishing minimum standards for personnel, staffing, case loads, programs, facilities, record keeping, equipment, and other aspects of the operation of a juvenile board necessary for the provision of adequate and effective probation services;

“(2) establishing a code of ethics for probation officers and providing for the enforcement of the code; ~~and~~

“(3) establishing appropriate educational, preservice and in-service training, and certification standards for probation officers or court-supervised community-based program personnel; *and*

“(4) *establishing minimum standards for juvenile detention facilities.*”

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.

Passed the Senate on February 14, 1985, by the following vote: Yeas 29, Nays 0;
Senate concurred in House amendment on May 20, 1985, by a viva-voce vote;
passed the House, with amendment, on May 13, 1985, by a non-record vote.

Approved: June 7, 1985

Effective: August 26, 1985