

## **BILL ANALYSIS**

Senate Research Center  
86R16561 LHC-F

H.B. 3688  
By: White (Perry)  
Criminal Justice  
5/13/2019  
Engrossed

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

Concerns have been raised regarding the limited authority under which certain peace officers may respond to a directive issued from the Texas Juvenile Justice Department (TJJD) to apprehend juvenile offenders in TJJD care that have either escaped secure confinement or violated the conditions of their release.

It has been suggested by TJJD that certain law enforcement officials are not authorized to respond to these directives if the opportunity to do so presents itself. H.B. 3688 seeks to address this issue by extending the authority to arrest such a child without a warrant to additional members of law enforcement.

H.B. 3688 amends the Human Resources Code to include a special investigator among the persons authorized to arrest without a warrant a child who has been committed to TJJD and placed by TJJD in any institution or facility and who has escaped or has been released under supervision and broken the conditions of release. The bill also replaces police officers in the list with peace officers.

H.B. 3688 amends current law relating to the apprehension of a child after escape from a secure juvenile facility or violation of conditions of release under supervision.

### **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 Section 243.051(a), Human Resources Code, as follows:

(a) Provides that if a child who has been committed to the Texas Juvenile Justice Department (TJJD) and placed by TJJD in any institution or facility has escaped or has been released under supervision and broken the conditions of release:

(1) a sheriff, deputy sheriff, constable, special investigator, or peace officer is authorized to, without a warrant, arrest the child, rather than a sheriff, deputy sheriff, constable, or police officer is authorized to, without a warrant, arrest the child; or

(2) makes no changes to this subdivision.

SECTION 2. Effective date: September 1, 2019.