

By: Flores

H.B. No. 2253

A BILL TO BE ENTITLED

AN ACT

relating to the jurisdiction of justice and municipal courts in proceedings involving juveniles.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Article 4.14, Code of Criminal Procedure, is amended by adding Subsection (f) to read as follows:

(f) Notwithstanding any other provision of law, on a finding by a municipal court that a child has engaged in conduct indicating a need for supervision or delinquent conduct in a proceeding in which the court has jurisdiction, a municipal court may enter an order confining the child to a facility that meets the requirements of Section 51.12, Family Code, or to a youth boot camp program for not more than 30 days.

SECTION 2. Article 45.057, Code of Criminal Procedure, is amended by amending Subsection (b) and adding Subsection (i) to read as follows:

(b) On a finding by a justice or municipal court that a child committed an offense that the court has jurisdiction of under Article 4.11 or 4.14, other than a traffic offense, the court has jurisdiction to enter an order:

(1) referring the child or the child's parent, managing conservator, or guardian for services under Section 264.302, Family Code;

(2) requiring that the child attend a special program

1 that the court determines to be in the best interest of the child
2 and, if the program involves the expenditure of county funds, that
3 is approved by the county commissioners court, including a
4 rehabilitation, counseling, self-esteem and leadership, work and
5 job skills training, job interviewing and work preparation,
6 self-improvement, parenting, manners, violence avoidance,
7 tutoring, sensitivity training, parental responsibility, community
8 service, restitution, advocacy, drug and alcohol abuse,
9 interaction with parents, or mentoring program; or

10 (3) if the court finds the parent, managing
11 conservator, or guardian, by act or omission, contributed to,
12 caused, or encouraged the child's conduct, requiring that the
13 child's parent, managing conservator, or guardian do any act or
14 refrain from doing any act that the court determines will increase
15 the likelihood that the child will comply with the orders of the
16 court and that is reasonable and necessary for the welfare of the
17 child, including:

18 (A) attend a parenting class or parental
19 responsibility program; and

20 (B) attend the child's school classes or
21 functions.

22 (i) Notwithstanding any other provision of law, and in
23 addition to the jurisdiction authorized by Subsection (b), on a
24 finding by a municipal court that a child committed an offense that
25 the court has jurisdiction of under Article 4.14, other than a
26 traffic offense, the court has jurisdiction to enter an order
27 confining the child to a facility that meets the requirements of

1 Section 51.12, Family Code, or to a youth boot camp program for not
2 more than 30 days.

3 SECTION 3. Article 45.058, Code of Criminal Procedure, is
4 amended by adding Subsection (i) to read as follows:

5 (i) Notwithstanding any other provision of law, on a finding
6 by a municipal court that a child committed an offense that the
7 court has jurisdiction of under Article 4.14, other than a traffic
8 offense, the court has jurisdiction to enter an order confining the
9 child to a facility that meets the requirements of Section 51.12,
10 Family Code, or to a youth boot camp program for not more than 30
11 days.

12 SECTION 4. (a) This Act takes effect September 1, 2003.

13 (b) This Act applies only to conduct that occurs on or after
14 the effective date of this Act. Conduct occurs on or after the
15 effective date of this Act if any element of the conduct occurs on
16 or after that date.

17 (c) Conduct that occurs before the effective date of this
18 Act is governed by the law in effect at the time the conduct
19 occurred, and that law is continued in effect for that purpose.