

BILL ANALYSIS

Senate Research Center
79R11896 SLO-D

H.B. 3010
By: Grusendorf (Harris)
Jurisprudence
5/9/2005
Engrossed

AUTHOR'S/SPONSOR'S STATEMENT OF INTENT

Current law requires Texas county, justice, and municipal courts to accept a case involving a child found in violation of compulsory school attendance laws. If a child is found in contempt of a justice or municipal court order, the case must be transferred to a juvenile court on the third offense. However, current law does not require a juvenile court to accept the transfer of cases regarding truancy. Therefore, a child may be repeatedly found in contempt of a juvenile or municipal court order with little or no consequence to the child.

H.B. 3010 requires a mandatory review by a juvenile court of referrals involving a child found in contempt of a county, municipal, or justice court order.

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 51.08, Family Code, by adding Subsection (e), to prohibit a juvenile court from refusing to accept the transfer of a case brought under Section 25.094 (Failure to Attend School), Education Code, for a child described by Subsection (b)(1) if a prosecuting attorney for the court determines under Section 53.012 (Review by Prosecutor) that the case is legally sufficient under Section 53.01 (Preliminary Investigation and Determinations; Notice to Parents) for adjudication in juvenile court.

SECTION 2. Makes application of Section 51.08, Family Code, as amended by this Act, prospective.

SECTION 3. Effective date: September 1, 2005.