

AN ACT

relating to the transfer of a failure to attend school proceeding to juvenile court.

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

SECTION 1. Section 51.08, Family Code, is amended by adding Subsection (e) to read as follows:

(e) A juvenile court may not refuse to accept the transfer of a case brought under Section 25.094, Education Code, for a child described by Subsection (b)(1) if a prosecuting attorney for the court determines under Section 53.012 that the case is legally sufficient under Section 53.01 for adjudication in juvenile court.

SECTION 2. Section 51.08, Family Code, as amended by this Act, applies only to the transfer of a case to juvenile court that occurs on or after the effective date of this Act. A transfer that occurs before the effective date of this Act is governed by the law in effect when the transfer occurred, and the former law is continued in effect for that purpose.

SECTION 3. This Act takes effect September 1, 2005.

H.B. No. 3010

President of the Senate

Speaker of the House

I certify that H.B. No. 3010 was passed by the House on April 28, 2005, by a non-record vote.

Chief Clerk of the House

I certify that H.B. No. 3010 was passed by the Senate on May 24, 2005, by the following vote: Yeas 31, Nays 0.

Secretary of the Senate

APPROVED: _____

Date

Governor