

## BILL ANALYSIS

Senate Research Center  
80R3131 KKA-F

S.B. 217  
By: Shapiro  
Education  
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As Filed

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

Currently, parents convicted of contributing to the nonattendance of their school-aged children are guilty of a Class C misdemeanor. Because this is the maximum penalty, some parents choose to pay the fine repeatedly rather than take steps to guarantee their child's attendance. Judges estimate that around 10 percent of parents are repeat offenders who fail to take the offense seriously. More importantly, these children are missing the education that they need. By increasing the punishment for repeat offenders to Class B, judges would have the ability to levy a higher fine or jail time.

As proposed, S.B. 217 increases the penalty for parents convicted at least twice of contributing to a child's nonattendance at school from a Class C misdemeanor to a Class B misdemeanor.

### 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 25.093, Education Code, by amending Subsections (b), (c), and (d) and adding Subsection (b-1), as follows:

(b) Makes a conforming change.

(b-1) Requires the attendance officer or other appropriate school official to file a complaint in a constitutional or statutory county court against a parent who has been previously convicted under this section (Parent Contributing to Nonattendance) at least twice.

(c) Provides that an offense under Subsection (a) (providing that a parent commits an offense once a warning is issued if the child does not attend school for a certain amount of time), if a person has been previously convicted under this section at least twice, constitutes a Class B misdemeanor.

(d) Requires half of the fine collected under this section to be deposited into the general fund of the county if the complaint is filed in the justice court or the constitutional or statutory county court.

SECTION 2. Makes application of this Act prospective.

SECTION 3. Effective date: September 1, 2007.