

By: Dutton

H.B. No. 776

A BILL TO BE ENTITLED

AN ACT

relating to the delivery of a child taken into custody under the juvenile justice system to a school official.

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

SECTION 1. Section 52.02(a), Family Code, is amended to read as follows:

(a) Except as provided by Subsection (c), a person taking a child into custody, without unnecessary delay and without first taking the child to any place other than a juvenile processing office designated under Section 52.025, shall do one of the following:

(1) release the child to a parent, guardian, custodian of the child, or other responsible adult upon that person's promise to bring the child before the juvenile court as requested by the court;

(2) bring the child before the office or official designated by the juvenile board if there is probable cause to believe that the child engaged in delinquent conduct, conduct indicating a need for supervision, or conduct that violates a condition of probation imposed by the juvenile court;

(3) bring the child to a detention facility designated by the juvenile board;

(4) bring the child to a secure detention facility as provided by Section 51.12(j);

1 (5) bring the child to a medical facility if the child
2 is believed to suffer from a serious physical condition or illness
3 that requires prompt treatment; ~~[or]~~

4 (6) dispose of the case under Section 52.03; or

5 (7) if school is in session and the child is a student,
6 bring the child to the school campus to which the child is assigned
7 if the principal, the principal's designee, or a peace officer
8 assigned to the campus agrees to assume responsibility for the
9 child for the remainder of the school day.

10 SECTION 2. This Act takes effect September 1, 2007.