

By: Dutton

H.B. No. 776

A BILL TO BE ENTITLED

1 AN ACT

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

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

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

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

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

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

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

23 (4) bring the child to a secure detention facility as
24 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.