

By: Giddings

H.B. No. 2030

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the issuance of citations to certain students on school
3 property during regular school hours.

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

5 SECTION 1. Subchapter C, Chapter 37, Education Code, is
6 amended by adding Section 37.086 to read as follows:

7 Sec. 37.086. ISSUANCE OF CITATIONS TO CERTAIN STUDENTS.

8 (a) A peace officer may not require a student who is younger than 12
9 years of age to sign a citation issued to the student on school
10 property during regular school hours.

11 (b) If the student's parent or guardian is unable to be
12 present when a citation is issued to a student under this section, a
13 school administrator or teacher shall sign the citation on behalf
14 of the student for the sole purpose of witnessing and acknowledging
15 the issuance of the citation. In signing the citation, the
16 administrator or teacher is not making a legal commitment or
17 otherwise assuming a responsibility of the student or the student's
18 parent or guardian in any subsequent court proceeding concerning
19 the citation.

20 (c) Not later than the second business day after the date a
21 citation is issued as provided by Subsection (b), a school official
22 must notify the student's parent or guardian by phone, by mail, or
23 in person of the issuance of the citation.

24 SECTION 2. The change in law made by this Act applies only

1 to an offense committed on or after September 1, 2007. An offense
2 committed before September 1, 2007, is governed by the law in effect
3 when the offense was committed, and the former law is continued in
4 effect for that purpose. For purposes of this section, an offense
5 was committed before September 1, 2007, if any element of the
6 offense was committed before that date.

7 SECTION 3. This Act takes effect September 1, 2007.