

By: Giddings

H.B. No. 2030

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the issuance of citations to children under the age of
3 twelve years old.

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

5 SECTION 1. Article 14.06, Code of Criminal Procedure, is
6 amended by adding Subsections (c) and (d) to read as follows:

7 (c) A peace officer may not require a child under the age of
8 twelve who is on school property during school hours to sign a
9 citation. If the child's parent or legal guardian is not present and
10 cannot be present at the time the citation is issued, a school
11 administrator or teacher shall sign the citation for the sole
12 purpose of witnessing and acknowledging the citation was issued. In
13 signing this document, the school administrator or teacher is not
14 legally committing themselves or assuming responsibility for the
15 student or parent appearing in court.

16 (d) Not later than 2 business days after the issuance of a
17 citation, a school official must notify the child's parent or
18 guardian by phone, mail, or in person of the citation.

19 SECTION 2. The change in law made by this Act applies only
20 to an offense committed before September 1, 2007. An offense
21 committed on or after September 1, 2007 is governed by the law in
22 effect when the offense was committed, and the former law is
23 continued in effect for that purpose. For purposes of this section,
24 and offense was committed before September 1, 2007 if any element of

1 the offense was committed before that date.

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