

## **BILL ANALYSIS**

C.S.H.B. 1793  
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Corrections  
Committee Report (Substituted)

### **BACKGROUND AND PURPOSE**

Currently, municipal court judges and justices of the peace must complete 12 hours of judicial training per year, but there is no requirement as to the type of training they must complete. Often, children appearing before a municipal court judge or a justice of the peace suffer psychosocial stressors in their home environments or have some form of disability, which may have led to the delinquent behavior that brought the child before the judge.

C.S.H.B. 1793 requires a judge who hears the cases of children charged with misdemeanor offenses punishable by fine only, excluding traffic offenses, public intoxication offenses, and violations of penal ordinances, to annually complete two hours of training specifically related to child welfare and the federal Individuals with Disabilities Education Act.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that rulemaking authority is expressly granted to the Texas Court of Criminal Appeals in SECTIONS 1 and 2 of this bill.

### **ANALYSIS**

C.S.H.B. 1793 amends the Government Code to require each judge of a court with jurisdiction to hear a complaint against a child alleging a violation of a misdemeanor offense punishable by fine only, other than a traffic offense or public intoxication or a violation of a penal ordinance of a political subdivision other than a traffic offense, to annually complete a course of instruction related to understanding relevant issues of child welfare and the federal Individuals with Disabilities Education Act. The bill requires the Texas Court of Criminal Appeals to adopt the rules necessary to provide for such training not later than December 1, 2009. The bill requires the rules to require a judge to annually complete two hours of the required training as part of the training the judge is required to complete under court of criminal appeals rules or other law. The bill authorizes the court of criminal appeals, in adopting the rules, to consult with the supreme court and with professional groups and associations in Texas that have expertise in the subject matter to obtain the recommendations of those groups or associations for instructional content.

C.S.H.B. 1793 specifies that a judge who is in office on the effective date of the bill is not required to complete the required judicial training before January 1, 2010.

### **EFFECTIVE DATE**

September 1, 2009.

### **COMPARISON OF ORIGINAL AND SUBSTITUTE**

C.S.H.B. 1793 differs from the original by requiring rules adopted by the court of criminal appeals to require a judge to complete two hours of the required training, rather than two to four hours of the required training as in the original. The substitute adds a specification not in the original that this training is part of the training the judge is required to complete under court of criminal appeals rules or other law.

