

By: Lewis, Pitts, Craddick, Swinford, et al.

H.B. No. 1425

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the determination of the population of a county
3 required to develop a juvenile justice alternative education
4 program.

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

6 SECTION 1. Section 37.011, Education Code, is amended by
7 adding Subsection (a-1) to read as follows:

8 (a-1) For purposes of this section and Section 37.010(a), a
9 county with a population greater than 125,000 is considered to be a
10 county with a population of 125,000 or less if:

11 (1) the county had a population of 125,000 or less
12 according to the 2000 federal census; and

13 (2) the juvenile board of the county enters into, with
14 the approval of the Texas Juvenile Probation Commission, a
15 memorandum of understanding with each school district within the
16 county that:

17 (A) outlines the responsibilities of the board
18 and school districts in minimizing the number of students expelled
19 without receiving alternative educational services; and

20 (B) includes the coordination procedures
21 required by Section 37.013.

22 SECTION 2. A juvenile court that has placed a child on
23 juvenile probation or deferred prosecution under Title 3, Family
24 Code, and required as a condition of probation or deferred

1 prosecution, as described by Section 37.011(b), Education Code,
2 that the child attend a juvenile justice alternative education
3 program in a county that is not required to operate a juvenile
4 justice alternative education program under Section 37.011,
5 Education Code, as amended by this Act, shall modify the conditions
6 of probation or deferred prosecution if the county discontinues
7 operation of the juvenile justice alternative education program.

8 SECTION 3. This Act applies beginning with the 2009-2010
9 school year.

10 SECTION 4. This Act takes effect immediately if it receives
11 a vote of two-thirds of all the members elected to each house, as
12 provided by Section 39, Article III, Texas Constitution. If this
13 Act does not receive the vote necessary for immediate effect, this
14 Act takes effect September 1, 2009.