

1-1 By: Lewis, et al. (Senate Sponsor - Seliger) H.B. No. 1425
1-2 (In the Senate - Received from the House May 8, 2009;
1-3 May 8, 2009, read first time and referred to Committee on Criminal
1-4 Justice; May 20, 2009, reported favorably by the following vote:
1-5 Yeas 6, Nays 0; May 20, 2009, sent to printer.)

1-6 A BILL TO BE ENTITLED
1-7 AN ACT

1-8 relating to the determination of the population of a county
1-9 required to develop a juvenile justice alternative education
1-10 program.

1-11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-12 SECTION 1. Section 37.011, Education Code, is amended by
1-13 adding Subsection (a-1) to read as follows:

1-14 (a-1) For purposes of this section and Section 37.010(a), a
1-15 county with a population greater than 125,000 is considered to be a
1-16 county with a population of 125,000 or less if:

1-17 (1) the county had a population of 125,000 or less
1-18 according to the 2000 federal census; and

1-19 (2) the juvenile board of the county enters into, with
1-20 the approval of the Texas Juvenile Probation Commission, a
1-21 memorandum of understanding with each school district within the
1-22 county that:

1-23 (A) outlines the responsibilities of the board
1-24 and school districts in minimizing the number of students expelled
1-25 without receiving alternative educational services; and

1-26 (B) includes the coordination procedures
1-27 required by Section 37.013.

1-28 SECTION 2. A juvenile court that has placed a child on
1-29 juvenile probation or deferred prosecution under Title 3, Family
1-30 Code, and required as a condition of probation or deferred
1-31 prosecution, as described by Section 37.011(b), Education Code,
1-32 that the child attend a juvenile justice alternative education
1-33 program in a county that is not required to operate a juvenile
1-34 justice alternative education program under Section 37.011,
1-35 Education Code, as amended by this Act, shall modify the conditions
1-36 of probation or deferred prosecution if the county discontinues
1-37 operation of the juvenile justice alternative education program.

1-38 SECTION 3. This Act applies beginning with the 2009-2010
1-39 school year.

1-40 SECTION 4. This Act takes effect immediately if it receives
1-41 a vote of two-thirds of all the members elected to each house, as
1-42 provided by Section 39, Article III, Texas Constitution. If this
1-43 Act does not receive the vote necessary for immediate effect, this
1-44 Act takes effect September 1, 2009.

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