

By: Farrar, Gallego, Marquez

H.B. No. 1793

A BILL TO BE ENTITLED

AN ACT

1
2 relating to judicial instruction for judges who hear complaints
3 against children alleging violations of certain misdemeanor
4 offenses.

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

6 SECTION 1. Subchapter B, Chapter 22, Government Code, is
7 amended by adding Section 22.1105 to read as follows:

8 Sec. 22.1105. JUDICIAL INSTRUCTION RELATED TO CERTAIN
9 ALLEGED CHILD OFFENDERS. (a) Each judge of a court with
10 jurisdiction to hear a complaint against a child alleging a
11 violation of a misdemeanor offense punishable by fine only, other
12 than a traffic offense or public intoxication or a violation of a
13 penal ordinance of a political subdivision other than a traffic
14 offense, shall complete a course of instruction related to
15 understanding relevant issues of child welfare and the Individuals
16 with Disabilities Education Act (20 U.S.C. Section 1400 et seq.)
17 every judicial academic year that ends in a 0 or a 5.

18 (b) The court of criminal appeals shall adopt the rules
19 necessary to provide for the training required under Subsection
20 (a). The rules must require a judge described by Subsection (a) to
21 complete two hours of the required training every judicial academic
22 year that ends in a 0 or a 5 as part of the training the judge is
23 required to complete under rules adopted by the court of criminal
24 appeals or other law.

1 (c) In adopting the rules, the court of criminal appeals may
2 consult with the supreme court and with professional groups and
3 associations in this state that have expertise in the subject
4 matter to obtain the recommendations of those groups or
5 associations for instructional content.

6 SECTION 2. (a) Not later than March 10, 2010, the Texas
7 Court of Criminal Appeals shall adopt the rules necessary to
8 provide the training required under Section 22.1105, Government
9 Code, as added by this Act.

10 (b) Notwithstanding Section 22.1105, Government Code, as
11 added by this Act, a judge who is in office on the effective date of
12 this Act is not required to complete the judicial training required
13 by Section 22.1105 before September 1, 2010.

14 SECTION 3. This Act takes effect September 1, 2009.