

1-1 By: Farrar, Gallego, Marquez H.B. No. 1793
1-2 (Senate Sponsor - Zaffirini)
1-3 (In the Senate - Received from the House April 27, 2009;
1-4 April 27, 2009, read first time and referred to Committee on
1-5 Jurisprudence; May 7, 2009, reported favorably by the following
1-6 vote: Yeas 5, Nays 0; May 7, 2009, sent to printer.)

1-7 A BILL TO BE ENTITLED
1-8 AN ACT

1-9 relating to judicial instruction for judges who hear complaints
1-10 against children alleging violations of certain misdemeanor
1-11 offenses.

1-12 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-13 SECTION 1. Subchapter B, Chapter 22, Government Code, is
1-14 amended by adding Section 22.1105 to read as follows:

1-15 Sec. 22.1105. JUDICIAL INSTRUCTION RELATED TO CERTAIN
1-16 ALLEGED CHILD OFFENDERS. (a) Each judge of a court with
1-17 jurisdiction to hear a complaint against a child alleging a
1-18 violation of a misdemeanor offense punishable by fine only, other
1-19 than a traffic offense or public intoxication or a violation of a
1-20 penal ordinance of a political subdivision other than a traffic
1-21 offense, shall complete a course of instruction related to
1-22 understanding relevant issues of child welfare and the Individuals
1-23 with Disabilities Education Act (20 U.S.C. Section 1400 et seq.)
1-24 every judicial academic year that ends in a 0 or a 5.

1-25 (b) The court of criminal appeals shall adopt the rules
1-26 necessary to provide for the training required under Subsection
1-27 (a). The rules must require a judge described by Subsection (a) to
1-28 complete two hours of the required training every judicial academic
1-29 year that ends in a 0 or a 5 as part of the training the judge is
1-30 required to complete under rules adopted by the court of criminal
1-31 appeals or other law.

1-32 (c) In adopting the rules, the court of criminal appeals may
1-33 consult with the supreme court and with professional groups and
1-34 associations in this state that have expertise in the subject
1-35 matter to obtain the recommendations of those groups or
1-36 associations for instructional content.

1-37 SECTION 2. (a) Not later than March 10, 2010, the Texas
1-38 Court of Criminal Appeals shall adopt the rules necessary to
1-39 provide the training required under Section 22.1105, Government
1-40 Code, as added by this Act.

1-41 (b) Notwithstanding Section 22.1105, Government Code, as
1-42 added by this Act, a judge who is in office on the effective date of
1-43 this Act is not required to complete the judicial training required
1-44 by Section 22.1105 before September 1, 2010.

1-45 SECTION 3. This Act takes effect September 1, 2009.

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