

By: Madden

H.B. No. 4357

A BILL TO BE ENTITLED

AN ACT

relating to the authority of a justice or municipal court over certain juvenile offenders and their parents.

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

SECTION 1. Article 45.057, Code of Criminal Procedure, is amended by adding Subsections (c-1) and (c-2) and amending Subsection (1) to read as follows:

(c-1) On a finding by a justice or municipal court that a child who has been found to have engaged in conduct that violates a penal law of this state has previously been found to have engaged in conduct that violates the Penal Code or the Alcoholic Beverage Code, the court may enter a final order requiring:

(1) the child to attend a special program that the court determines to be in the best interest of the child, including:

(A) an alcohol or drug abuse program;

(B) a rehabilitation program;

(C) a counseling program, including counseling on self-improvement;

(D) a program that provides training in self-esteem and leadership;

(E) a work and job skills training program;

(F) a program that provides training in socially acceptable behavior;

(G) a program that teaches avoiding violence;

1                   (H) a program that provides sensitivity  
2 training;

3                   (I) a program that provides training in advocacy  
4 and mentoring; or

5                   (J) a program that provides training in parenting  
6 or child rearing;

7                   (2) the child and the child's parent or parents to  
8 attend a class for students at risk of dropping out of school  
9 designed for both students and their parents;

10                   (3) the child to complete a reasonable number of hours  
11 of community service;

12                   (4) the child to participate in a specified number of  
13 hours of a tutorial program covering the subjects of the academic  
14 courses in which the child is enrolled in school; or

15                   (5) the Department of Public Safety of the State of  
16 Texas to:

17                   (A) suspend the driver's license or permit of the  
18 child for a period not to exceed one year; or

19                   (B) deny the issuance of a driver's license or  
20 permit to the child for a period not to exceed one year.

21                   (c-2) An order under Subsection (c-1) may not require  
22 attendance in a course or program or a period of community service  
23 for a period of more than 180 days or the length of the school year,  
24 whichever is longer.

25                   (1) Any order under this article is enforceable by the  
26 justice or municipal court by contempt, except that an order under  
27 Subsection (c-1)(2) is enforceable by the justice, municipal, or

1 juvenile court by contempt.

2           SECTION 2. (a) The change in law made by this Act applies  
3 only to conduct that occurs on or after the effective date of this  
4 Act. Conduct violating the penal law of this state occurs on or  
5 after the effective date of this Act if any element of the violation  
6 occurs on or after that date.

7           (b) Conduct that occurs before the effective date of this  
8 Act is governed by the law in effect at the time the conduct  
9 occurred, and that law is continued in effect for that purpose.

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