

## **BILL ANALYSIS**

C.S.H.B. 592  
By: Pitts  
Corrections  
Committee Report (Substituted)

### **BACKGROUND AND PURPOSE**

A county juvenile board in Texas operates a juvenile justice alternative education program (JJAEP) to offer an alternative form of discipline and education for a juvenile expelled from a public school district. Current law requires a county with a population greater than 125,000 to establish a JJAEP for that purpose. This mandate to establish and fund the program can be harmful to a county facing a budget limitation.

C.S.H.B. 592 sets out circumstances under which a county with a population greater than 125,000 is not required to establish a JJAEP.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

### **ANALYSIS**

C.S.H.B. 592 amends the Education Code to specify that for the purposes of provisions of law requiring the juvenile board of a county with a population greater than 125,000 to develop a juvenile justice alternative education program and requiring every expelled student in such a county who is not detained or receiving treatment under a juvenile court order to be enrolled in such a program, a county with a population greater than 125,000 is considered to be a county with a population of 125,000 or less if the county has a population of 180,000 or less; is adjacent to two counties, each of which has a population of more than 1.7 million; and has seven or more school districts located wholly within the county's boundaries. The bill makes its provisions applicable beginning with the 2011-2012 school year.

### **EFFECTIVE DATE**

On passage, or, if the bill does not receive the necessary vote, September 1, 2011.

### **COMPARISON OF ORIGINAL AND SUBSTITUTE**

C.S.H.B. 592 omits provisions included in the original raising the population threshold for a county at which the county's juvenile board is required to develop a juvenile justice alternative education program and at or beneath which such a board is authorized to develop such a program and making conforming changes to reflect that new threshold. The substitute contains a provision not included in the original setting out the circumstances under which a county with a population greater than 125,000 is considered to be a county with a population of 125,000 or less for purposes of the requirement or authorization to develop a juvenile justice alternative education program, as applicable, and the requirement that certain expelled students in such a county attend the program. The substitute omits a provision included in the original requiring a juvenile court that has required a child as a condition of probation or deferred prosecution to attend a juvenile justice alternative education program in a county that is not required to operate

such a program to modify the conditions of probation or deferred prosecution if the county discontinues the operation of the program.