

By: Gonzalez

H.B. No. 2496

A BILL TO BE ENTITLED

AN ACT

relating to creating a teen dating violence court program.

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

SECTION 1. Chapter 54, Family Code, is amended by adding Section 54.0325 to read as follows:

Sec. 54.0325. DEFERRAL OF ADJUDICATION AND DISMISSAL OF CERTAIN CASES ON COMPLETION OF TEEN DATING VIOLENCE COURT PROGRAM.

(a) In this section, "teen dating violence court program" means a program that includes:

(1) a 12-week program designed to educate children who engage in dating violence and encourage them to refrain from engaging in that conduct;

(2) a dedicated teen victim advocate, employed through the counseling services unit of the district attorney's office, who assists teen victims by offering referrals to additional services, providing counseling and safety planning, and explaining the juvenile justice system;

(3) a court-employed resource coordinator to monitor children's compliance with the 12-week program;

(4) one judge who presides over all of the cases in the jurisdiction that qualify for the program; and

(5) an attorney in the district attorney's office who is assigned to the program.

(b) A juvenile court may defer adjudication proceedings

1 under Section 54.03 for not more than 180 days if the child is  
2 alleged to have engaged in conduct:

3 (1) indicating a need for supervision that violated a  
4 penal law of this state of the grade of misdemeanor; and

5 (2) involving dating violence as defined in Section  
6 71.0021.

7 (c) The teen dating violence court program must be approved  
8 by the court.

9 (d) A child for whom adjudication proceedings are deferred  
10 under Subsection (b) shall:

11 (1) complete the teen dating violence court program  
12 not later than the last day of the deferral period; and

13 (2) appear in court once a month for monitoring  
14 purposes.

15 (e) If a child for whom adjudication proceedings are  
16 deferred under Subsection (b) does not comply with the requirements  
17 of the teen dating violence court program, the court may order the  
18 child to perform community service or serve additional time in the  
19 program.

20 (f) The court shall dismiss the case with prejudice at the  
21 time the child presents satisfactory evidence that the child has  
22 successfully completed the teen dating violence court program. A  
23 case dismissed under this section may not be part of the child's  
24 records for any purpose.

25 (g) The court may require a child who participates in a teen  
26 dating violence court program to pay a fee not to exceed \$10 that is  
27 set by the court to cover the costs of administering this section.

1 The court shall deposit the fee in the county treasury of the county  
2 in which the court is located.

3 (h) In addition to the fee authorized by Subsection (g), the  
4 court may require a child who participates in a teen dating violence  
5 court program to pay a fee of \$10 to cover the cost to the teen  
6 dating violence court program for performing its duties under this  
7 section. The court shall pay the fee to the teen dating violence  
8 court program, and the teen dating violence court program must  
9 account to the court for the receipt and disbursal of the fee.

10 (i) The court shall track the number of children ordered to  
11 participate in the teen dating violence court program, the  
12 percentage of victims meeting with the teen victim advocate, and  
13 the compliance rate of the children ordered to participate in the  
14 program.

15 SECTION 2. Subchapter B, Chapter 103, Government Code, is  
16 amended by adding Section 103.0210 to read as follows:

17 Sec. 103.0210. ADDITIONAL FEES IN CERTAIN CRIMINAL CASES:  
18 FAMILY CODE. A child for whom adjudication proceedings are  
19 deferred under Section 54.0325, Family Code, shall pay a fee not to  
20 exceed \$20 to the court for the administration of the teen dating  
21 violence court program.

22 SECTION 3. This Act takes effect September 1, 2011.