

By: Van de Putte

S.B. No. 1313

A BILL TO BE ENTITLED

1 AN ACT  
2 relating to the definition of conduct indicating a need for  
3 supervision.

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

5 SECTION 1. Section 51.03(b), Family Code, is amended to  
6 read as follows:

7 (b) Conduct indicating a need for supervision is:

8 (1) subject to Subsection (f), conduct, other than a  
9 traffic offense, that violates:

10 (A) the penal laws of this state of the grade of  
11 misdemeanor that are punishable by fine only; or

12 (B) the penal ordinances of any political  
13 subdivision of this state;

14 (2) the absence of a child on 10 or more days or parts  
15 of days within a six-month period in the same school year or on  
16 three or more days or parts of days within a four-week period from  
17 school;

18 (3) the voluntary absence of a child from the child's  
19 home without the consent of the child's parent or guardian for a  
20 substantial length of time or without intent to return;

21 (4) conduct prohibited by city ordinance or by state  
22 law involving the inhalation of the fumes or vapors of paint and  
23 other protective coatings or glue and other adhesives and the  
24 volatile chemicals itemized in Section 485.001, Health and Safety

1 Code;

2 (5) an act that violates a school district's  
3 previously communicated written standards of student conduct for  
4 which the child has been expelled under Section 37.007(c),  
5 Education Code; ~~[or]~~

6 (6) conduct that violates a reasonable and lawful  
7 order of a court entered under Section 264.305; or

8 (7) conduct described by Section 43.02(a)(1) or (2),  
9 Penal Code.

10 SECTION 2. Section 51.03, Family Code, as amended by this  
11 Act, applies only to conduct that occurs on or after the effective  
12 date of this Act. Conduct that occurs before the effective date of  
13 this Act is covered by the law in effect at the time the conduct  
14 occurred, and the former law is continued in effect for that  
15 purpose. For the purposes of this section, conduct occurs before  
16 the effective date of this Act if any element of the conduct  
17 occurred before that date.

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