

Amend **HB 990** (house committee report), on page 3 of the bill, between lines 20 and 21, by inserting the following:

Art. 1A.065. PROSECUTION OF 17-YEAR-OLD CHILDREN. (a) The council shall:

(1) evaluate a proposal to define a person who is 17 years of age and commits an offense as a child under the Family Code to include the person under the jurisdiction of a juvenile court;

(2) develop an implementation plan that includes legislative, administrative, and funding changes necessary to adopt the proposal; and

(3) determine whether the legislature should implement the proposal described by Subdivision (1) by considering:

(A) the potential short-term and long-term benefits to offenders, victims, and taxpayers;

(B) the requirements of federal law, including the Prison Rape Elimination Act of 2003 (42 U.S.C. Section 15601 et seq.), for the confinement of persons 17 years of age;

(C) the implications of the decisions of the United States Supreme Court in Miller v. Alabama, 567 U.S. _____ (2012), and similar cases involving the sentencing of persons younger than 18 years of age;

(D) appropriate sanctions, services, and treatment programs for persons 17 years of age who have committed criminal offenses and the effectiveness of the sanctions, services, and programs;

(E) best practices and national trends in the prosecution and sentencing of persons younger than 18 years of age;

(F) data about the nature and frequency of offenses committed by persons 17 years of age in this state;

(G) the projected costs and savings for the state criminal court and juvenile court systems, state and local law enforcement, local adult and juvenile probation departments, state and local correctional facilities, and facilities operated by the Texas Juvenile Justice Department;

(H) which criminal and juvenile justice laws to amend, including laws relating to traffic offenses, offenses under the Education Code or Alcoholic Beverage Code, and laws relating to

criminal records; and

(I) any other issues that the council considers relevant to the proposal.

(b) The council shall:

(1) develop the implementation plan relating to the proposal described by Subsection (a)(1);

(2) calculate the projected state and local adult and juvenile correctional facility populations if the plan is implemented;

(3) conduct a cost-benefit analysis for each part of the juvenile and adult criminal justice systems and for offenders, victims, and taxpayers if the plan is implemented; and

(4) make findings and recommendations and describe policy considerations relating to whether the proposal should be adopted.

(c) This article expires June 1, 2015.