

JJ:

CJ:

Minjarez

[Handwritten signatures: Joni Rose, James White, Debbie Redden]

[Handwritten signatures: Tony Carter 40, Jeff H, Simpson, Moody]



FLOOR AMENDMENT NO. _____

BY: Wu / Lawson

1 Amend S.B. No. 1630 (house committee printing) as follows:

2 On page __, line __, insert the following new SECTIONS and
3 renumber remaining sections as appropriate:

4 SECTION __. Section 51.02(2), Family Code, is amended to
5 read as follows:

6 (2) "Child" means a person who is:

7 (A) ten years of age or older and under 18 [~~17~~] years
8 of age; or

9 (B) eighteen [~~seventeen~~] years of age or older and
10 under 20 [~~18~~] years of age who is:

11 (1) alleged or found to have engaged in
12 delinquent conduct or conduct indicating a need for supervision
13 as a result of acts committed before becoming 18 [~~17~~] years of
14 age; and

15 (ii) under the jurisdiction of a juvenile court.

16 SECTION __. Section 8.02, Penal Code, is amended by
17 amending subsection (b) and adding subsections (b-1) and (b-2) to
18 read as follows:

19 (b) Unless the juvenile court waives jurisdiction under
20 Section 54.02, Family Code, and certifies the individual for
21 criminal prosecution or the juvenile court has previously waived
22 jurisdiction under that section and certified the individual for
23 criminal prosecution, a person may not be prosecuted for or
24 convicted of any offense committed before reaching 18 [~~17~~] years
25 of age except an offense described by Subsections (a)(1)-(5).

26 (b-1) Notwithstanding any other provision of law, any
27 criminal offense that requires as an element of the offense that

1 the person not be a child applies only to persons 18 years of age
2 or older.

3 (b-2) Notwithstanding any other provision of law, once
4 invoked, a juvenile court retains jurisdiction over a child
5 until:

6 (1) the child's 19th birthday; or

7 (2) the child's 20th birthday if the child receives a
8 determinate sentence.

9 SECTION _____. On page 7, line 21 strike "by Section
10 54.04(d), Family Code" and substitute "by Sections 51.02(2) and
11 54.04(d), Family Code, and Sections 8.07(b), (b-1) and (b-2),
12 Penal Code".