

Amend Floor Amendment No. 1 to CSSB 106 (senate committee report) as follows:

In Section 17 of the bill (page 20, line 50), in Section 67, Code of Criminal Procedure, insert the following and renumber subsequent sections accordingly:

Sec. 67.08. FAILURE TO OBEY TRUANCY COURT ORDER; CHILDREN IN CONTEMPT OF COURT.

(a) If a child fails to obey an order issued by a truancy court under Section 64.03(a), the truancy court, after providing notice and an opportunity for a hearing, may:

(1) refer the child to a juvenile court for a hearing to be conducted pursuant to Section 67.011; or

(2) hold the child in contempt of court and order either or both of the following:

(A) that the child pay a fine not to exceed \$100;  
or

(B) that the Department of Public Safety suspend the child's driver's license or permit or, if the child does not have a license or permit, order that the Department of Public Safety deny the issuance of a license or permit to the child until the child fully complies with the court's orders.

(b) A truancy court may not order the confinement of a child for the child's failure to obey an order of the court issued under Section 64.03(a).

Sec. 67.011. PROCEEDINGS IN JUVENILE COURT.

(a) Upon referral from a truancy court pursuant to Section 67.08(a)(1), the truancy court shall conduct a hearing in order to determine if probable cause exists to believe that the child engaged in conduct that would constitute contempt of the order issued by the truancy court. The hearing shall be conducted within 10 days of the juvenile court's receipt of the referral from the truancy court.

(b) If the juvenile court finds that probable cause exists to believe that the child engaged in conduct that would constitute contempt of the order issued by the truancy court, the juvenile court shall:

(1) enter an order requiring the child to comply with the truancy court's order;

(2) forward a copy of the order to the truancy court within 24 hours; and

(3) admonish the child, orally and in writing, of the consequences of subsequent referrals to the juvenile court, including:

(A) a charge of delinquent conduct for contempt of the truancy court's order; and

(B) a detention hearing.

(c) If the court finds that probable cause does not exist to believe that the child engaged in conduct that would constitute contempt of the order issued by the truancy court, the juvenile court shall enter an order requiring the child's continued compliance with the truancy court's order.