

By: Moody

H.B. No. 516

A BILL TO BE ENTITLED

AN ACT

relating to venue for the offense of failure to attend school.

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

SECTION 1. Section 25.093(b), Education Code, is amended to read as follows:

(b) The attendance officer or other appropriate school official shall file a complaint against the parent in:

(1) the constitutional county court of the county in which the parent resides or in which the school is located, if the county has a population of 1.75 million or more;

(2) a justice court designated to hear cases arising under this section [~~of any precinct~~] in the county in which the parent resides or in which the school is located, or if no justice court is designated, a justice court of any precinct in the county in which the parent resides or in which the school is located; or

(3) a municipal court of the municipality in which the parent resides or in which the school is located.

SECTION 2. Section 25.094(b), Education Code, is amended to read as follows:

(b) An offense under this section may be prosecuted in:

(1) the constitutional county court of the county in which the individual resides or in which the school is located, if the county has a population of 1.75 million or more;

(2) a justice court designated to hear cases arising

1 under this section [~~of any precinct~~] in the county in which the
2 individual resides or in which the school is located, or if no
3 justice court is designated, a justice court of any precinct in the
4 county in which the individual resides or in which the school is
5 located; or

6 (3) a municipal court in the municipality in which the
7 individual resides or in which the school is located.

8 SECTION 3. The changes in law made by this Act to Sections
9 25.093 and 25.094, Education Code, apply only to an offense
10 committed on or after the effective date of this Act. For purposes
11 of this section, an offense is committed before the effective date
12 of this Act if any element of the offense occurs before that date.
13 An offense committed before the effective date of this Act is
14 covered by the law in effect immediately before the effective date
15 of this Act, and the former law is continued in effect for that
16 purpose.

17 SECTION 4. This Act takes effect September 1, 2015.