

By: White of Tyler

H.B. No. 1571

A BILL TO BE ENTITLED

AN ACT

1
2 relating to notice of the right to employ counsel in truancy
3 proceedings.

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

5 SECTION 1. Section 25.0951, Education Code, is amended by
6 adding Subsection (b-1) and amending Subsection (d) to read as
7 follows:

8 (b-1) At the time the school district files a complaint
9 against a student or a student's parent or refers a student to
10 juvenile court as provided by Subsection (b), the school district,
11 in the manner described by Section 25.095, shall provide notice to
12 the student's parent that the student or parent, as appropriate, is
13 entitled to employ an attorney to represent the student or parent in
14 county, justice, municipal, or juvenile court.

15 (d) A court shall dismiss a complaint or referral made by a
16 school district under this section that is not made in compliance
17 with this section or for which the school district has not provided
18 notice of the right to counsel as provided by Subsection (b-1).

19 SECTION 2. Section 25.0951, Education Code, as amended by
20 this Act, applies to a proceeding for failure to attend school that
21 occurs on or after the effective date of this Act regardless of
22 whether the offense that is the subject of the proceeding was
23 committed before, on, or after the effective date of this Act.

24 SECTION 3. This Act takes effect September 1, 2015.