

By: Rodríguez

S.B. No. 1401

A BILL TO BE ENTITLED

1 AN ACT
2 relating to the creation of an advisory committee to examine and
3 recommend a plan to increase the minimum age of juvenile
4 jurisdiction.

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

6 SECTION 1. DEFINITION. In this Act, "board" means the Texas
7 Juvenile Justice Board.

8 SECTION 2. JUVENILE JURISDICTION ADVISORY COMMITTEE. Not
9 later than December 1, 2015, the board shall appoint an advisory
10 committee to develop a plan for raising the minimum age of a child
11 subject to juvenile court jurisdiction from 10 years of age to 13
12 years of age.

13 SECTION 3. APPOINTMENTS; PRESIDING OFFICER. (a) In making
14 appointments to the advisory committee, the board shall appoint
15 members the board considers appropriate and who represent the
16 geographic diversity of the state. The advisory committee must
17 include:

18 (1) one member from the Texas Juvenile Justice
19 Department;

20 (2) one member from the Department of State Health
21 Services;

22 (3) one member from the Health and Human Services
23 Commission;

24 (4) one member from the Texas Education Agency or who

1 has expertise in education;

2 (5) one member from the Legislative Budget Board with
3 relevant expertise;

4 (6) at least one member from the Department of Family
5 and Protective Services;

6 (7) at least three chief juvenile probation officers,
7 including at least one chief juvenile probation officer from an
8 urban county, one chief juvenile probation officer from a suburban
9 county, and one chief juvenile probation officer from a rural
10 county;

11 (8) at least two members from local mental health
12 authorities, including at least one member from an urban county and
13 one member from a rural county;

14 (9) a prosecutor with expertise in prosecuting
15 juvenile offenders;

16 (10) a defense attorney who specializes in juvenile
17 defense;

18 (11) a youth advocate;

19 (12) private providers of youth services, including
20 prevention services;

21 (13) an individual with expertise in adolescent
22 development or the impact of trauma on adolescents;

23 (14) an individual who was involved with the juvenile
24 justice system before the individual's thirteenth birthday or a
25 parent of an individual who was involved with the juvenile justice
26 system before the individual's thirteenth birthday; and

27 (15) any other member considered appropriate by the

1 board.

2 (b) The board shall select one member of the advisory
3 committee to serve as presiding officer of the advisory committee.

4 SECTION 4. COMPENSATION. A member of the advisory
5 committee serves without compensation and is not entitled to
6 reimbursement for travel expenses.

7 SECTION 5. APPLICATION OF LAWS GOVERNING ADVISORY
8 COMMITTEES. The advisory committee is not subject to Chapter 2110,
9 Government Code.

10 SECTION 6. DUTIES OF ADVISORY COMMITTEE. The advisory
11 committee shall:

12 (1) evaluate the feasibility of raising the minimum
13 age of a child subject to juvenile court jurisdiction from 10 years
14 of age to 13 years of age;

15 (2) identify services currently available for
16 juveniles between 10 and 13 years of age within the juvenile justice
17 system; and

18 (3) develop an implementation plan to raise the
19 minimum age of a child subject to juvenile court jurisdiction from
20 10 years of age to 13 years of age, including:

21 (A) methods for ensuring that juveniles between
22 10 and 13 years of age who currently receive services through the
23 juvenile justice system continue to be eligible for and receive
24 services outside of the juvenile justice system; and

25 (B) any legislative, administrative, or funding
26 provisions required to adopt the plan.

27 SECTION 7. REPORT. Not later than December 1, 2016, the

1 advisory committee shall submit to the Texas Juvenile Justice
2 Board, the governor, the lieutenant governor, and appropriate
3 committees of the legislature a report that contains the advisory
4 committee's findings and the implementation plan developed under
5 Section 6 of this Act.

6 SECTION 8. EXPIRATION DATE. The advisory committee is
7 abolished and this Act expires December 31, 2016.

8 SECTION 9. EFFECTIVE DATE. This Act takes effect
9 immediately if it receives a vote of two-thirds of all the members
10 elected to each house, as provided by Section 39, Article III, Texas
11 Constitution. If this Act does not receive the vote necessary for
12 immediate effect, this Act takes effect September 1, 2015.