

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 84TH LEGISLATIVE REGULAR SESSION

March 23, 2015

TO: Honorable John Whitmire, Chair, Senate Committee on Criminal Justice

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: SB108 by Whitmire (Relating to criminal procedures for certain misdemeanor offenses committed by children.), **As Introduced**

No significant fiscal implication to the State is anticipated.

The bill would no longer require a court to dismiss a complaint alleging failure to attend school upon a finding the individual complied with the conditions imposed by the court. A court would still be required to dismiss a complaint alleging failure to attend school if the individual presents to the court proof that the individual has obtained a high school diploma or a high school equivalency certificate. It would also permit an individual convicted of failure to attend school any number of times to apply to have their records expunged upon their 18th birthday and requires the court to order expunction of the records. The bill clarifies that a law enforcement officer may not issue a field release citation to a child who is alleged to have committed a school offense. The bill would also change the definition of a child for purposes of school offenses in the Education Code to be a student who is at least 10 year of age and younger than 18 years of age rather than younger than 17 years of age. The bill also adds law enforcement officer and school resource officer to the list of persons who may not issue a citation to a child who is alleged to have committed a school offense.

The Office of Court Administration, the Juvenile Justice Department, and the Texas Education Agency indicate they anticipate no significant fiscal impact to the state.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies: 212 Office of Court Administration, Texas Judicial Council, 644 Juvenile Justice Department, 701 Central Education Agency

LBB Staff: UP, KJo, JJ, JQ, EK, JBi, JPo