

BILL ANALYSIS

C.S.H.B. 452
By: Shine
Juvenile Justice & Family Issues
Committee Report (Substituted)

BACKGROUND AND PURPOSE

There have been calls to foster more open communication between the school districts and courts in Bell County, Texas, regarding truancy matters and to reduce the courts' backlog relating to such matters. C.S.H.B. 452 seeks to achieve this goal by providing for the selection of masters to serve the county's justice courts having jurisdiction in truancy matters.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

C.S.H.B. 452 amends the Government Code to authorize the Commissioners Court of Bell County to select masters to serve the county's justice courts having jurisdiction in truancy matters. The bill requires the commissioners court to establish the salary, benefits, and other compensation of each master position and to determine whether the position is full-time or part-time. The bill establishes that a master serves at the pleasure of the commissioners court and grants a master concurrent jurisdiction with the judges of the county's justice of the peace courts over cases involving truant conduct. The bill requires the commissioners court to establish the powers and duties of a master and sets out related provisions. The bill grants a master the same judicial immunity as a district judge and requires a master to successfully complete all training required of a justice of the peace under state law. The bill authorizes a master to certify a failure to comply with a summons or order to the referring court, subjects a witness so referred to the same penalties and orders that may be imposed on a witness appearing in a hearing before the court, and subjects a witness appearing before a master to the penalties of perjury as provided by applicable Penal Code provisions.

EFFECTIVE DATE

September 1, 2019.

COMPARISON OF ORIGINAL AND SUBSTITUTE

While C.S.H.B. 452 may differ from the original in minor or nonsubstantive ways, the following summarizes the substantial differences between the introduced and committee substitute versions of the bill.

The substitute does not include a requirement for the county commissioners court to establish the minimum qualifications of each truancy master position.