

BILL ANALYSIS

H.B. 2209
By: Meyer
Juvenile Justice & Family Issues
Committee Report (Unamended)

BACKGROUND AND PURPOSE

It has been noted with concern that under current law, a child who is truant due to an abusive situation in the home may be arrested and face civil penalties. H.B. 2209 seeks to prevent such a practice by providing for an affirmative defense applicable to such a situation.

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

H.B. 2209 amends the Family Code to establish an affirmative defense to an allegation of truant conduct that one or more of the absences were due to the child's voluntary absence from the child's home because of abuse as shown by a preponderance of the evidence. The bill applies beginning with the 2019-2020 school year.

EFFECTIVE DATE

On passage, or, if the bill does not receive the necessary vote, September 1, 2019.