

BILL ANALYSIS

H.B. 561
By: Israel
Juvenile Justice & Family Issues
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Research indicates that juvenile curfew ordinances are an ineffective way to reduce crime and often lead to negative outcomes for youth in school and future interactions with the justice system. H.B. 561 seeks to ensure that all young Texans have opportunities to succeed without the burden of a criminal record early in life by eliminating the authority of political subdivisions to adopt or enforce juvenile curfews.

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. 561 amends the Local Government Code to prohibit a political subdivision from adopting or enforcing a measure that imposes a juvenile curfew to regulate the movements or actions of persons younger than 18 years of age, except with regard to a curfew implemented under the Texas Disaster Act of 1975 for purposes of emergency management. The bill establishes that a criminal or civil action for a violation of a juvenile curfew ordinance or order pending on the bill's effective date is dismissed on that date.

H.B. 561 amends the Code of Criminal Procedure, Family Code, Government Code, and Penal Code to make conforming changes.

H.B. 561 repeals the following provisions:

- Article 45.059, Code of Criminal Procedure;
- Section 341.905, Local Government Code;
- Section 351.903, Local Government Code; and
- Section 370.002, Local Government Code.

EFFECTIVE DATE

September 1, 2021.