

BILL ANALYSIS

C.S.H.B. 2295
By: Wu
Juvenile Justice & Family Issues
Committee Report (Substituted)

BACKGROUND AND PURPOSE

It has been suggested that certain counties should be allowed to cease operating a juvenile justice alternative education program in the county if the program is no longer necessary or cost-effective and that, by ceasing the operation of such a program, resources in those counties can be saved and children will be able to remain closer to home. C.S.H.B. 2295 seeks to authorize the commissioners court of a county with a population greater than 3.3 million to elect by a majority vote to cease operating such a program.

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. 2295 amends the Education Code to authorize the commissioners court of a county with a population greater than 3.3 million to elect by a majority vote to cease operating a juvenile justice alternative education program in the county because the program is no longer necessary or cost-effective. The bill requires a commissioners court that makes the election to notify the Texas Juvenile Justice Department in writing. The bill clarifies the duty of a public school district located in such a county to provide educational services to a student who is expelled from school.

C.S.H.B. 2295 establishes that a county in which that election has been made is considered to be a county with a population of 125,000 or less for purposes of provisions regarding the mandatory or discretionary development of a juvenile justice alternative education program based on county population.

C.S.H.B. 2295 amends the Family Code to make conforming changes.

C.S.H.B. 2295 applies beginning with the 2021-2022 school year.

EFFECTIVE DATE

On passage, or, if the bill does not receive the necessary vote, September 1, 2021.

COMPARISON OF ORIGINAL AND SUBSTITUTE

While C.S.H.B. 2295 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 raises the population threshold for a county whose commissioners court may elect to cease operating a juvenile justice alternative education program in the county from greater than 125,000, as in the original, to greater than 3.3 million. The bill includes a provision not in the original clarifying the duty of a school district located in such a county to provide educational services to an expelled student.