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| BILL ANALYSIS |

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| C.S.H.B. 3532 |
| By: Sherman, Sr. |
| Homeland Security & Public Safety |
| Committee Report (Substituted) |

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| **BACKGROUND AND PURPOSE** Currently, state criminal laws consider children the age of 17 to be adults. A mother in House District 109 had a 17-year-old daughter with an intellectual disability who was deemed missing. She was later arrested and released from jail without her mother being notified due to the fact that she was considered to be an adult. As a result, her daughter was released and put back into the hand of a complete stranger and was missing for 10 days before being found. In some cases, these vulnerable children are being released back into the hands of their abusers or continue to be trafficked. C.S.H.B. 3532 seeks to prevent this from happening by requiring a law enforcement agency that detains, arrests, or releases a missing child with an intellectual disability or mental illness to notify the missing child's parent, managing conservator, or guardian as soon as practicable after the detention, arrest, or release. |
| **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. 3532 amends the Code of Criminal Procedure to require a law enforcement agency that detains, arrests, or releases a missing child under 18 years of age with an intellectual disability or mental illness to notify the missing child's parent, managing conservator, or guardian as soon as practicable after the detention, arrest, or release. |
| **EFFECTIVE DATE** September 1, 2023. |
| **COMPARISON OF INTRODUCED AND SUBSTITUTE**While C.S.H.B. 3532 may differ from the introduced in minor or nonsubstantive ways, the following summarizes the substantial differences between the introduced and committee substitute versions of the bill.Whereas the notification requirement in the introduced applied only with respect to the arrest or detention of a missing child with an intellectual disability or mental illness, the substitute makes the requirement applicable also to the release of the child. |