

BILL ANALYSIS

H.B. 3917
By: Buckley
Youth Health & Safety, Select
Committee Report (Unamended)

BACKGROUND AND PURPOSE

There is a lack of enforcement and accountability with respect to state truancy laws. H.B. 3917 seeks to improve a school district's ability to hold a parent accountable for not following such laws by providing for a complaint filed against a parent for noncompliance with those laws to be dismissed if the parent agrees to complete counseling, training, or another program as designated by the district.

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 rulemaking authority is expressly granted to the Texas Education Agency in SECTION 2 of this bill.

ANALYSIS

H.B. 3917 amends the Education Code to authorize a parent against whom a complaint has been filed for contributing to a child's nonattendance to school and the public school district at which the parent's child is enrolled to enter into a written agreement requiring the parent to complete counseling, training, or another program as designated by the district. The bill entitles the parent to dismissal of the complaint if the parent fulfills the terms of such an agreement not later than the 30th day after the date on which the complaint was filed or within the period provided by the agreement. The bill authorizes the Texas Education Agency to adopt rules and materials necessary to implement the bill's provisions relating to an agreement for dismissal of an applicable complaint, including by doing the following:

- making standardized agreement forms available to districts;
- recommending program options that a district may require in an applicable agreement with a parent, which may include faith-based counseling or training programs or other programs that provide instruction designed to assist a parent in identifying problems that contribute to unexcused absences by the parent's child and in developing strategies for resolving those problems; and
- requiring relevant programs, resources, and materials to be made available through regional educational service centers.

H.B. 3917 amends the Code of Criminal Procedure to require a county, justice, or municipal court to dismiss a charge of a parent contributing to nonattendance if the parent completes the terms of an agreement, as specified under the bill's provisions, within the required period and authorizes the court to extend that period during which a parent may fulfill the agreement terms if agreed to by the applicable district. The bill's provisions apply only to an offense committed on or after the bill's effective date. The bill provides for the continuation of the law in effect

before the bill's effective date for purposes of an offense, or any element thereof, that occurred before that date.

EFFECTIVE DATE

September 1, 2023.