

By: Zaffirini

S.B. No. 2276

A BILL TO BE ENTITLED

AN ACT

relating to requiring parental consent for peace officer interviews of certain children.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Chapter 2, Code of Criminal Procedure, is amended by adding Article 2.36 to read as follows:

Art. 2.36. PARENTAL CONSENT REQUIRED FOR PEACE OFFICER INTERVIEW OF CHILD. (a) A peace officer may not conduct an interview with or otherwise question a child who is younger than 12 years of age for any purpose unless the peace officer has first obtained the consent of the child's parent or legal guardian.

(b) Notwithstanding Section 51.095, Family Code, a statement obtained in violation of this article is not admissible as evidence in any proceeding concerning the matter about which the statement was given.

SECTION 2. The change in law made by this Act applies only to an interview or other questioning that occurs on or after the effective date of this Act. An interview or other questioning that occurs before the effective date of this Act is governed by the law in effect on the date the interview or other questioning occurred, and the former law is continued in effect for that purpose.

SECTION 3. This Act takes effect September 1, 2023.