

By: McLaughlin, Kerwin

H.B. No. 2947

Substitute the following for H.B. No. 2947:

By: Money

C.S.H.B. No. 2947

A BILL TO BE ENTITLED

AN ACT

relating to truancy and the offense of a parent contributing to nonattendance.

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

SECTION 1. Article [45A.254](#), Code of Criminal Procedure, is amended by amending Subsection (e) and adding Subsection (e-1) to read as follows:

(e) Except as provided by Subsection (e-1), a [A] defendant is considered to have discharged not less than \$100 of fines or costs for each eight hours of community service performed under this article.

(e-1) A defendant who has been assessed a fine for an offense under Section [25.093](#), Education Code, is considered to have discharged not less than \$100 of fines or costs for each six hours of community service performed under this article.

SECTION 2. Section [25.0915](#), Education Code, is amended by adding Subsection (a-5) and amending Subsection (b) to read as follows:

(a-5) If a school district previously imposed truancy prevention measures on a student and the student, in a succeeding school year, engages in conduct described by Section [65.003\(a\)](#), Family Code, the school district may refer the student to truancy court without again imposing truancy prevention measures.

(b) Each referral to truancy court for conduct described by

Section 65.003(a), Family Code, must:

(1) be accompanied by a statement from the student's school certifying that:

(A) the school applied, or has applied in a prior school year, the truancy prevention measures adopted under Subsection (a) or (a-4) to the student; and

(B) the truancy prevention measures failed to meaningfully address the student's school attendance; and

(2) specify whether the student is eligible for or receives special education services under Subchapter A, Chapter 29.

SECTION 3. Section 25.093, Education Code, is amended by amending Subsection (c) and adding Subsection (g-1) to read as follows:

(c) An offense under Subsection (a) is a misdemeanor, punishable by fine only, in an amount not to exceed[+]

~~[(1)] \$100 [for a first offense,~~

~~[(2)] \$200 for a second offense,~~

~~[(3)] \$300 for a third offense,~~

~~[(4)] \$400 for a fourth offense; or~~

~~[(5)] \$500 for a fifth or subsequent offense].~~

(g-1) The court shall dismiss a fine imposed under this section if the parent presents the court with proof that the child has:

(1) reached the age of 21;

(2) graduated from high school or received the equivalent of a high school diploma; or

(3) enlisted in the armed forces of the United States.

SECTION 4. Subchapter C, Chapter 25, Education Code, is amended by adding Section 25.096 to read as follows:

Sec. 25.096. ANNUAL ATTENDANCE REPORT. Each school district shall annually submit a report to the agency that includes, for the preceding school year, the following information disaggregated by campus and grade:

(1) the number of students:

(A) who failed to attend school without excuse for 10 or more days or parts of days within a six-month period in the same school year;

(B) for whom the district initiated a truancy prevention measure; and

(C) for whom the district made a referral to truancy court; and

(2) the number of parents of students against whom a complaint has been filed under Section 25.093.

SECTION 5. Subchapter E-1, Chapter 411, Government Code, is amended by adding Section 411.0737 to read as follows:

Sec. 411.0737. PROCEDURE FOR CONVICTION; PARENT CONTRIBUTING TO NONATTENDANCE. (a) This section applies only to a person who is convicted of an offense under Section 25.093, Education Code.

(b) Notwithstanding any other provision of this subchapter or Subchapter F, a person described by Subsection (a) may petition the court that imposed the sentence for an order of nondisclosure of criminal history record information under this section, regardless of whether the person has paid all fines and costs imposed.

1 (c) After notice to the state, an opportunity for a hearing,
2 and a determination that the person is entitled to file the petition
3 described by Subsection (b) and that issuance of an order of
4 nondisclosure of criminal history record information is in the best
5 interest of justice, the court shall issue an order prohibiting
6 criminal justice agencies from disclosing to the public criminal
7 history record information related to the offense for which the
8 person was convicted.

9 (d) A person may petition the court that imposed the
10 sentence for an order of nondisclosure of criminal history record
11 information under this section only on or after the date on which:

12 (1) the person completed payment of all fines and
13 costs imposed under Section 25.093, Education Code; or

14 (2) the child that the person failed to require to
15 attend school:

16 (A) reaches the age of 21;

17 (B) graduates from high school or receives the
18 equivalent of a high school diploma; or

19 (C) enlists in the armed forces of the United
20 States.

21 SECTION 6. Section 411.074, Government Code, is amended by
22 adding Subsection (c) to read as follows:

23 (c) This section does not apply to a person who petitions
24 for an order of nondisclosure under Section 411.0737.

25 SECTION 7. Section 25.0915, Education Code, as amended by
26 this Act, applies beginning with the 2025-2026 school year.

27 SECTION 8. The changes in law made by this Act to Section

1 25.093, Education Code, apply only to an offense committed on or
2 after the effective date of this Act. An offense committed before
3 the effective date of this Act is governed by the law in effect on
4 the date the offense was committed, and the former law is continued
5 in effect for that purpose. For purposes of this section, an
6 offense was committed before the effective date of this Act if any
7 element of the offense occurred before that date.

8 SECTION 9. Not later than December 1, 2026, each school
9 district shall submit to the Texas Education Agency the first
10 attendance report required under Section 25.096, Education Code, as
11 added by this Act.

12 SECTION 10. This Act takes effect September 1, 2025.