By: Cook of Harris S.B. No. 362

A BILL TO BE ENTITLED

AN ACT

relating to the age of criminal responsibility and to certain substantive and procedural matters related to that age.

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

ARTICLE 1. AGE OF CRIMINAL RESPONSIBILITY

SECTION 1.01. Section 51.02(2), Family Code, is amended to read as follows:

(2) "Child" means a person who is:

(A) 10 [~~ten~~] years of age or older and under 18 [~~17~~] years of age; or

(B) 18 [~~seventeen~~] years of age or older and under 20 [~~18~~] years of age who is:

(i) alleged or found to have engaged in delinquent conduct or conduct indicating a need for supervision as a result of acts committed before becoming 18 [~~17~~] years of age; and

(ii) under the jurisdiction of a juvenile court.

SECTION 1.02. Section 8.07(b), Penal Code, is amended to read as follows:

(b) Unless the juvenile court waives jurisdiction under Section 54.02, Family Code, and certifies the individual for criminal prosecution or the juvenile court has previously waived jurisdiction under that section and certified the individual for criminal prosecution, a person may not be prosecuted for or

convicted of any offense committed before reaching 18 [~~17~~] years of age except an offense described by Subsections (a)(1)-(5).

SECTION 1.03. The changes in law made by this article apply only to an offense committed or conduct that occurs on or after September 1, 2029. An offense committed or conduct that occurred before September 1, 2029, is governed by the law in effect on the date the offense was committed or the conduct occurred, and the former law is continued in effect for that purpose. For purposes of this section, an offense was committed or conduct occurred before September 1, 2029, if any element of the offense or conduct occurred before that date.

ARTICLE 2. OFFENSES WITH AGE AS AN ELEMENT

SECTION 2.01. Section 15.031(e), Penal Code, is amended to read as follows:

(e) An offense under this section is one category lower than the solicited offense, except that an offense under this section is the same category as the solicited offense if it is shown on the trial of the offense that the actor:

(1) was at the time of the offense 18 [~~17~~] years of age or older and a member of a criminal street gang, as defined by Section 71.01; and

(2) committed the offense with the intent to:

(A) further the criminal activities of the criminal street gang; or

(B) avoid detection as a member of a criminal street gang.

SECTION 2.02. Section 21.02(b), Penal Code, is amended to

read as follows:

(b) A person commits an offense if:

(1) during a period that is 30 or more days in duration, the person commits two or more acts of sexual abuse, regardless of whether the acts of sexual abuse are committed against one or more victims; and

(2) at the time of the commission of each of the acts of sexual abuse, the actor is 18 [~~17~~] years of age or older and the victim is:

(A) a child younger than 14 years of age, regardless of whether the actor knows the age of the victim at the time of the offense; or

(B) a disabled individual.

SECTION 2.03. Section 33.021(b), Penal Code, is amended to read as follows:

(b) A person who is 18 [~~17~~] years of age or older commits an offense if, with the intent to commit an offense listed in Article 62.001(5)(A), (B), or (K), Code of Criminal Procedure, the person, over the Internet, by electronic mail or text message or other electronic message service or system, or through a commercial online service, intentionally:

(1) communicates in a sexually explicit manner with a minor; or

(2) distributes sexually explicit material to a minor.

SECTION 2.04. Section 71.028(c), Penal Code, is amended to read as follows:

(c) Except as provided by Subsection (d), the punishment

prescribed for an offense described by Subsection (b) is increased to the punishment prescribed for the next highest category of offense if the actor is 18 [~~17~~] years of age or older and it is shown beyond a reasonable doubt on the trial of the offense that the actor committed the offense at a location that was:

(1) in, on, or within 1,000 feet of any:

(A) real property that is owned, rented, or leased by a school or school board;

(B) premises owned, rented, or leased by an institution of higher education;

(C) premises of a public or private youth center;

(D) playground; or

(E) general residential operation operating as a residential treatment center;

(2) in, on, or within 300 feet of any:

(A) shopping mall;

(B) movie theater;

(C) premises of a public swimming pool; or

(D) premises of a video arcade facility; or

(3) on a school bus.

SECTION 2.05. Sections 545.424(b) and (b-1), Transportation Code, are amended to read as follows:

(b) A person under 18 [~~17~~] years of age who holds a restricted motorcycle license may not operate a motorcycle while using a wireless communication device, except in case of emergency. This subsection does not apply to a person licensed by the Federal Communications Commission while operating a radio frequency device

other than a wireless communication device.

(b-1) A person under 18 [~~17~~] years of age who holds a restricted motorcycle license, during the 12-month period following the issuance of an original motorcycle license to the person, may not operate a motor vehicle after midnight and before 5 a.m. unless:

(1) the person is in sight of the person's parent or guardian; or

(2) the operation of the vehicle is necessary for the operator to attend or participate in employment or a school-related activity or because of a medical emergency.

SECTION 2.06. Section 729.001(a), Transportation Code, is amended to read as follows:

(a) A person who is younger than 18 [~~17~~] years of age commits an offense if the person operates a motor vehicle on a public road or highway, a street or alley in a municipality, or a public beach in violation of any traffic law of this state, including:

(1) Chapter 502, other than Section [~~502.282 or~~] 502.412;

(2) Chapter 521, other than an offense under Section 521.457;

(3) Subtitle C, other than an offense punishable by imprisonment or by confinement in jail under Section 550.021, 550.022, 550.024, or 550.025;

(4) Chapter 601;

(5) Chapter 621;

(6) Chapter 661; and

(7) Chapter 681.

SECTION 2.07. Section 729.002, Transportation Code, is amended to read as follows:

Sec. 729.002. OPERATION OF MOTOR VEHICLE BY MINOR WITHOUT LICENSE. (a) A person who is younger than 18 [~~17~~] years of age commits an offense if the person operates a motor vehicle without a driver's license authorizing the operation of a motor vehicle on a:

(1) public road or highway;

(2) street or alley in a municipality; or

(3) public beach as defined by Section 729.001.

(b) An offense under this section is punishable in the same manner as if the person was 18 [~~17~~] years of age or older and operated a motor vehicle without a license as described by Subsection (a), except that an offense under this section is not punishable by confinement or imprisonment.

SECTION 2.08. The changes in law made by this article apply only to an offense committed on or after September 1, 2029. An offense committed before September 1, 2029, is governed by the law in effect on the date the offense was committed, and the former law is continued in effect for that purpose. For purposes of this section, an offense was committed before September 1, 2029, if any element of the offense occurred before that date.

ARTICLE 3. CRIMINAL PROCEDURES

SECTION 3.01. Article 4.19, Code of Criminal Procedure, is amended to read as follows:

Art. 4.19. TRANSFER OF PERSON CERTIFIED TO STAND TRIAL AS AN ADULT. (a) Notwithstanding the order of a juvenile court to detain

a person under the age of 18 [~~17~~] who has been certified to stand trial as an adult in a certified juvenile detention facility under Section 54.02(h), Family Code, the judge of the criminal court having jurisdiction over the person may order the person to be transferred to an adult facility. A child who is transferred to an adult facility must be detained under conditions meeting the requirements of Section 51.12, Family Code.

(b) On the 18th [~~17th~~] birthday of a person described by Subsection (a) who is detained in a certified juvenile detention facility under Section 54.02(h), Family Code, the judge of the criminal court having jurisdiction over the person shall order the person to be transferred to an adult facility.

SECTION 3.02. Article 45A.259(h), Code of Criminal Procedure, is amended to read as follows:

(h) A capias pro fine may not be issued for a person convicted for an offense committed before the person's 18th [~~17th~~] birthday unless:

(1) the person is 18 [~~17~~] years of age or older;

(2) the court finds that the issuance of the capias pro fine is justified after considering:

(A) the sophistication and maturity of the person;

(B) the criminal record and history of the person; and

(C) the reasonable likelihood of bringing about the discharge of the judgment through the use of procedures and services currently available to the court; and

(3) the court has proceeded under Article 45A.461 to compel the person to discharge the judgment.

SECTION 3.03. Article 45A.452(a), Code of Criminal Procedure, is amended to read as follows:

(a) Subject to the requirements of Subchapter K, this article applies to a defendant who has not had the disabilities of minority removed and [~~has been:~~

[~~(1) charged with an offense other than an offense under Section 43.261, Penal Code, if the defendant is younger than 17 years of age; or~~

[~~(2) charged with an offense under Section 43.261, Penal Code, if the defendant~~] is younger than 18 years of age.

SECTION 3.04. Article 45A.453(a), Code of Criminal Procedure, is amended to read as follows:

(a) In this article, "child" means a person who is:

(1) at least 10 years of age and younger than 18 [~~17~~] years of age; and

(2) charged with or convicted of an offense that a justice or municipal court has jurisdiction of under Article 4.11 or 4.14.

SECTION 3.05. Articles 45A.456(a), (b), and (e), Code of Criminal Procedure, are amended to read as follows:

(a) Except as provided by Articles 45A.453 and 45A.454, an individual may not be taken into secured custody for offenses alleged to have occurred before the individual's 18th [~~17th~~] birthday.

(b) On or after an individual's 18th [~~17th~~] birthday, if the

court has used all available procedures under this chapter to secure the individual's appearance to answer allegations made before the individual's 18th [~~17th~~] birthday, the court may issue a notice of continuing obligation to appear, by personal service or by mail, to the last known address and residence of the individual. The notice must order the individual to appear at a designated time, place, and date to answer the allegations detailed in the notice.

(e) A notice of continuing obligation to appear issued under this article must contain the following statement provided in boldfaced type or capital letters:

"WARNING: COURT RECORDS REVEAL THAT BEFORE YOUR 18TH [~~17TH~~] BIRTHDAY YOU WERE ACCUSED OF A CRIMINAL OFFENSE AND HAVE FAILED TO MAKE AN APPEARANCE OR ENTER A PLEA IN THIS MATTER. AS AN ADULT, YOU ARE NOTIFIED THAT YOU HAVE A CONTINUING OBLIGATION TO APPEAR IN THIS CASE. FAILURE TO APPEAR AS REQUIRED BY THIS NOTICE MAY BE AN ADDITIONAL CRIMINAL OFFENSE AND RESULT IN A WARRANT BEING ISSUED FOR YOUR ARREST."

SECTION 3.06. Article 45A.457(h), Code of Criminal Procedure, is amended to read as follows:

(h) A child and parent required to appear before the court have an obligation to provide the child's current address and residence to the court in writing. The obligation does not end when the child reaches age 18 [~~17~~]. On or before the seventh day after the date the child or parent changes residence, the child or parent shall notify the court of the current address in the manner directed by the court. A violation of this subsection is a Class C misdemeanor and may result in arrest. The obligation to provide

notice terminates on discharge and satisfaction of the judgment or a final disposition not requiring a finding of guilt.

SECTION 3.07. Article 45A.459(a), Code of Criminal Procedure, is amended to read as follows:

(a) This article applies only to a defendant younger than 18 [~~17~~] years of age who is assessed a fine or cost for a Class C misdemeanor.

SECTION 3.08. Article 45A.460(a), Code of Criminal Procedure, is amended to read as follows:

(a) This article applies only to a defendant younger than 18 [~~17~~] years of age who is assessed a fine or cost for a Class C misdemeanor occurring in a building or on the grounds of the primary or secondary school at which the defendant was enrolled at the time of the offense.

SECTION 3.09. Articles 45A.461(d), (e), and (g), Code of Criminal Procedure, are amended to read as follows:

(d) A justice or municipal court may hold a person in contempt and impose a remedy authorized by Subsection (c)(2) if:

(1) the person was convicted for an offense committed before the person's 18th [~~17th~~] birthday;

(2) the person failed to obey the order while the person was 18 [~~17~~] years of age or older; and

(3) the failure to obey occurred under circumstances that constitute contempt of court.

(e) A justice or municipal court may hold a person in contempt and impose a remedy authorized by Subsection (c)(2) if the person, while younger than 18 [~~17~~] years of age, engaged in conduct

in contempt of an order issued by the court, but contempt proceedings could not be held before the person's 18th [~~17th~~] birthday.

(g) A justice or municipal court may not refer a person who violates a court order while 18 [~~17~~] years of age or older to a juvenile court for delinquency proceedings for contempt of court.

SECTION 3.10. Articles 45A.463(c) and (i), Code of Criminal Procedure, are amended to read as follows:

(c) On or after the person's 18th [~~17th~~] birthday, a person may apply to the court in which the person was convicted to have the conviction expunged as provided by this article if:

(1) the person was convicted of not more than one offense described by Section 8.07(a)(4) or (5), Penal Code, while the person was a child; or

(2) the person was convicted only once of an offense under Section 43.261, Penal Code.

(i) Records of a person younger than 18 [~~17~~] years of age relating to a complaint may be expunged under this article if:

(1) the complaint was dismissed under Subchapter G, Article 45A.401, or other law; or

(2) the person was acquitted of the offense.

SECTION 3.11. Article 62.001(6), Code of Criminal Procedure, is amended to read as follows:

(6) "Sexually violent offense" means any of the following offenses committed by a person 18 [~~17~~] years of age or older:

(A) an offense under Section 21.02 (Continuous

sexual abuse of young child or disabled individual), 21.03 (Continuous sexual abuse), 21.11(a)(1) (Indecency with a child), 22.011 (Sexual assault), or 22.021 (Aggravated sexual assault), Penal Code;

(B) an offense under Section 43.25 (Sexual performance by a child), Penal Code;

(C) an offense under Section 20.04(a)(4) (Aggravated kidnapping), Penal Code, if the defendant committed the offense with intent to violate or abuse the victim sexually;

(D) an offense under Section 30.02 (Burglary), Penal Code, if the offense is punishable under Subsection (d) of that section and the defendant committed the offense with intent to commit a felony listed in Paragraph (A) or (C) of Subdivision (5); or

(E) an offense under the laws of another state, federal law, the laws of a foreign country, or the Uniform Code of Military Justice if the offense contains elements that are substantially similar to the elements of an offense listed under Paragraph (A), (B), (C), or (D).

SECTION 3.12. Article 62.351(a), Code of Criminal Procedure, is amended to read as follows:

(a) During or after disposition of a case under Section 54.04, Family Code, for adjudication of an offense for which registration is required under this chapter, the juvenile court on motion of the respondent shall conduct a hearing to determine whether the interests of the public require registration under this chapter. The motion may be filed and the hearing held regardless of

whether the respondent is under 19 [~~18~~] years of age. Notice of the motion and hearing shall be provided to the prosecuting attorney.

SECTION 3.13. Article 62.352(c), Code of Criminal Procedure, is amended to read as follows:

(c) If the court enters an order described by Subsection (b)(1), the court retains discretion and jurisdiction to require, or exempt the respondent from, registration under this chapter at any time during the treatment or on the successful or unsuccessful completion of treatment, except that during the period of deferral, registration may not be required. Following successful completion of treatment, the respondent is exempted from registration under this chapter unless a hearing under this subchapter is held on motion of the prosecuting attorney, regardless of whether the respondent is 19 [~~18~~] years of age or older, and the court determines the interests of the public require registration. Not later than the 10th day after the date of the respondent's successful completion of treatment, the treatment provider shall notify the juvenile court and prosecuting attorney of the completion.

SECTION 3.14. Article 62.353(b), Code of Criminal Procedure, is amended to read as follows:

(b) The person may file a motion under Subsection (a) in the original juvenile case regardless of whether the person, at the time of filing the motion, is 19 [~~18~~] years of age or older. Notice of the motion shall be provided to the prosecuting attorney. A hearing on the motion shall be provided as in other cases under this subchapter.

SECTION 3.15. Section 37.085, Education Code, is amended to read as follows:

Sec. 37.085. ARRESTS PROHIBITED FOR CERTAIN CLASS C MISDEMEANORS. Notwithstanding any other provision of law, a warrant may not be issued for the arrest of a person for a Class C misdemeanor under this code committed when the person was younger than 18 [~~17~~] years of age.

SECTION 3.16. Section 153.0071(e-1), Family Code, is amended to read as follows:

(e-1) Notwithstanding Subsections (d) and (e), a court may decline to enter a judgment on a mediated settlement agreement if the court finds:

(1) that:

(A) a party to the agreement was a victim of family violence, and that circumstance impaired the party's ability to make decisions; or

(B) the agreement would permit a person who is subject to registration under Chapter 62, Code of Criminal Procedure, on the basis of an offense committed by the person when the person was 18 [~~17~~] years of age or older or who otherwise has a history or pattern of past or present physical or sexual abuse directed against any person to:

(i) reside in the same household as the child; or

(ii) otherwise have unsupervised access to the child; and

(2) that the agreement is not in the child's best

interest.

SECTION 3.17. Section 521.453(i), Transportation Code, is amended to read as follows:

(i) If the person ordered to perform community service under Subsection (h) is younger than 18 [~~17~~] years of age, the community service shall be performed as if ordered by a juvenile court under Section 54.044(a), Family Code, as a condition of probation under Section 54.04(d), Family Code.

SECTION 3.18. (a) Except as provided by Subsection (b) of this section, the changes in law made by this article apply only to an offense committed on or after September 1, 2029. An offense committed before September 1, 2029, is governed by the law in effect on the date the offense was committed, and the former law is continued in effect for that purpose.

(b) Articles 45A.463(c) and (i), Code of Criminal Procedure, as amended by this article, apply only to the expunction of certain records related to an offense committed on or after September 1, 2029. The expunction of certain records related to an offense committed before September 1, 2029, is governed by the law in effect on the date the offense was committed, and the former law is continued in effect for that purpose.

(c) For purposes of this section, an offense was committed before September 1, 2029, if any element of the offense occurred before that date.

ARTICLE 4. JUVENILE COURT PROCEDURES

SECTION 4.01. Section 51.041, Family Code, is amended to read as follows:

Sec. 51.041. JURISDICTION AFTER APPEAL. (a) The court retains jurisdiction over a person, without regard to the age of the person, for conduct engaged in by the person before becoming 18 [~~17~~] years of age if, as a result of an appeal by the person or the state under Chapter 56 of an order of the court, the order is reversed or modified and the case remanded to the court by the appellate court.

(b) If the respondent is at least 18 years of age when the order of remand from the appellate court is received by the juvenile court, the juvenile court shall proceed as provided by Sections 54.02(o)-(r) for the detention of a person at least 19 [~~18~~] years of age in discretionary transfer proceedings. Pending retrial of the adjudication or transfer proceeding, the juvenile court may:

(1) order the respondent released from custody;

(2) order the respondent detained in a juvenile detention facility; or

(3) set bond and order the respondent detained in a county adult facility if bond is not made.

SECTION 4.02. Section 51.0412, Family Code, is amended to read as follows:

Sec. 51.0412. JURISDICTION OVER INCOMPLETE PROCEEDINGS. The court retains jurisdiction over a person, without regard to the age of the person, who is a respondent in an adjudication proceeding, a disposition proceeding, a proceeding to modify disposition, a proceeding for waiver of jurisdiction and transfer to criminal court under Section 54.02(a), or a motion for transfer of determinate sentence probation to an appropriate district court if:

(1) the petition or motion was filed while the respondent was younger than 19 or 20 [~~18 or 19~~] years of age, as applicable;

(2) the proceeding is not complete before the respondent becomes 19 or 20 [~~18 or 19~~] years of age, as applicable; and

(3) the court enters a finding in the proceeding that the prosecuting attorney exercised due diligence in an attempt to complete the proceeding before the respondent became 19 or 20 [~~18 or 19~~] years of age, as applicable.

SECTION 4.03. Sections 51.12(f) and (h), Family Code, are amended to read as follows:

(f) A child detained in a building that contains a jail, lockup, or other place of secure confinement, including an alcohol or other drug treatment facility, shall be separated by sight and sound from adults detained in the same building. Children and adults are separated by sight and sound only if they are unable to see each other and conversation between them is not possible. The separation must extend to all areas of the facility, including sally ports and passageways, and those areas used for admission, counseling, sleeping, toileting, showering, dining, recreational, educational, or vocational activities, and health care. The separation may be accomplished through architectural design. A person who has been transferred for prosecution in criminal court under Section 54.02 and is under 18 [~~17~~] years of age is considered a child for the purposes of this subsection.

(h) This section does not apply to a person:

(1) who has been transferred to criminal court for prosecution under Section 54.02 and is at least 18 [~~17~~] years of age; or

(2) who is at least 18 [~~17~~] years of age and who has been taken into custody after having:

(A) escaped from a juvenile facility operated by or under contract with the Texas Juvenile Justice Department; or

(B) violated a condition of release under supervision of the department.

SECTION 4.04. Section 54.02(j), Family Code, is amended to read as follows:

(j) The juvenile court may waive its exclusive original jurisdiction and transfer a person to the appropriate district court or criminal district court for criminal proceedings if:

(1) the person is 19 [~~18~~] years of age or older;

(2) the person was:

(A) 10 years of age or older and under 18 [~~17~~] years of age at the time the person is alleged to have committed a capital felony or an offense under Section 19.02, Penal Code;

(B) 14 years of age or older and under 18 [~~17~~] years of age at the time the person is alleged to have committed an aggravated controlled substance felony or a felony of the first degree other than an offense under Section 19.02, Penal Code; or

(C) 15 years of age or older and under 18 [~~17~~] years of age at the time the person is alleged to have committed a felony of the second or third degree or a state jail felony;

(3) no adjudication concerning the alleged offense has

been made or no adjudication hearing concerning the offense has been conducted;

(4) the juvenile court finds from a preponderance of the evidence that:

(A) for a reason beyond the control of the state it was not practicable to proceed in juvenile court before the 19th [~~18th~~] birthday of the person; or

(B) after due diligence of the state it was not practicable to proceed in juvenile court before the 19th [~~18th~~] birthday of the person because:

(i) the state did not have probable cause to proceed in juvenile court and new evidence has been found since the 19th [~~18th~~] birthday of the person;

(ii) the person could not be found; or

(iii) a previous transfer order was reversed by an appellate court or set aside by a district court; and

(5) the juvenile court determines that there is probable cause to believe that the child before the court committed the offense alleged.

SECTION 4.05. Section 54.0326(b), Family Code, is amended to read as follows:

(b) A juvenile court may defer adjudication proceedings under Section 54.03 until the child's 19th [~~18th~~] birthday and require a child to participate in a program established under Section 152.0017, Human Resources Code, if the child:

(1) is alleged to have engaged in delinquent conduct or conduct indicating a need for supervision and may be a victim of

conduct that constitutes an offense under Section 20A.02, Penal Code; and

(2) presents to the court an oral or written request to participate in the program.

SECTION 4.06. Sections 54.04(e), (l), and (q), Family Code, are amended to read as follows:

(e) The Texas Juvenile Justice Department shall accept a person properly committed to it by a juvenile court even though the person may be 18 [~~17~~] years of age or older at the time of commitment.

(l) Except as provided by Subsection (q), a court or jury may place a child on probation under Subsection (d)(1) for any period, except that probation may not continue on or after the child's 19th [~~18th~~] birthday. Except as provided by Subsection (q), the court may, before the period of probation ends, extend the probation for any period, except that the probation may not extend to or after the child's 19th [~~18th~~] birthday.

(q) If a court or jury sentences a child to commitment in the Texas Juvenile Justice Department or a post-adjudication secure correctional facility under Subsection (d)(3) for a term of not more than 10 years, the court or jury may place the child on probation under Subsection (d)(1) as an alternative to making the disposition under Subsection (d)(3). The court shall prescribe the period of probation ordered under this subsection for a term of not more than 10 years. The court may, before the sentence of probation expires, extend the probationary period under Section 54.05, except that the sentence of probation and any extension may not exceed 10

years. The court may, before the child's 20th [~~19th~~] birthday, discharge the child from the sentence of probation. If a sentence of probation ordered under this subsection and any extension of probation ordered under Section 54.05 will continue after the child's 20th [~~19th~~] birthday, the court shall discharge the child from the sentence of probation on the child's 20th [~~19th~~] birthday unless the court transfers the child to an appropriate district court under Section 54.051.

SECTION 4.07. Section 54.0405(i), Family Code, is amended to read as follows:

(i) A court that requires as a condition of probation that a child attend psychological counseling under Subsection (a) may, before the date the probation period ends, extend the probation for any additional period necessary to complete the required counseling as determined by the treatment provider, except that the probation may not be extended to a date after the date of the child's 19th [~~18th~~] birthday, or 20th [~~19th~~] birthday if the child is placed on determinate sentence probation under Section 54.04(q).

SECTION 4.08. Sections 54.041(b) and (h), Family Code, are amended to read as follows:

(b) If a child is found to have engaged in delinquent conduct or conduct indicating a need for supervision arising from the commission of an offense in which property damage or loss or personal injury occurred, the juvenile court, on notice to all persons affected and on hearing, may order the child or a parent to make full or partial restitution to the victim of the offense. The program of restitution must promote the rehabilitation of the

child, be appropriate to the age and physical, emotional, and mental abilities of the child, and not conflict with the child's schooling. When practicable and subject to court supervision, the court may approve a restitution program based on a settlement between the child and the victim of the offense. An order under this subsection may provide for periodic payments by the child or a parent of the child for the period specified in the order but except as provided by Subsection (h), that period may not extend past the date of the 19th [~~18th~~] birthday of the child or past the date the child is no longer enrolled in an accredited secondary school in a program leading toward a high school diploma, whichever date is later.

(h) If the juvenile court places the child on probation in a determinate sentence proceeding initiated under Section 53.045 and transfers supervision on the child's 20th [~~19th~~] birthday to a district court for placement on community supervision, the district court shall require the payment of any unpaid restitution as a condition of the community supervision. The liability of the child's parent for restitution may not be extended by transfer to a district court for supervision.

SECTION 4.09. Sections 54.05(a) and (b), Family Code, are amended to read as follows:

(a) Any [~~Except as provided by Subsection (a-1), any~~] disposition, except a commitment to the Texas Juvenile Justice Department, may be modified by the juvenile court as provided in this section until:

(1) the child reaches:

(A) the child's 19th [~~18th~~] birthday; or

(B) the child's 20th [~~19th~~] birthday, if the child was placed on determinate sentence probation under Section 54.04(q); or

(2) the child is earlier discharged by the court or operation of law.

(b) Except for a commitment to the Texas Juvenile Justice Department or to a post-adjudication secure correctional facility under former Section 54.04011 or a placement on determinate sentence probation under Section 54.04(q), all dispositions automatically terminate when the child reaches the child's 19th [~~18th~~] birthday.

SECTION 4.10. Sections 54.051(a), (b), (c), (d), (e-2), and (i), Family Code, are amended to read as follows:

(a) On motion of the state concerning a child who is placed on probation under Section 54.04(q) for a period, including any extension ordered under Section 54.05, that will continue after the child's 20th [~~19th~~] birthday, the juvenile court shall hold a hearing to determine whether to transfer the child to an appropriate district court or discharge the child from the sentence of probation.

(b) The hearing must be conducted before the person's 20th [~~19th~~] birthday[~~, or before the person's 18th birthday if the offense for which the person was placed on probation occurred before September 1, 2011,~~] and must be conducted in the same manner as a hearing to modify disposition under Section 54.05.

(c) If, after a hearing, the court determines to discharge

the child, the court shall specify a date on or before the child's 20th [~~19th~~] birthday to discharge the child from the sentence of probation.

(d) If, after a hearing, the court determines to transfer the child, the court shall transfer the child to an appropriate district court on the child's 20th [~~19th~~] birthday.

(e-2) If a person who is placed on community supervision under this section violates a condition of that supervision or if the person violated a condition of probation ordered under Section 54.04(q) and that probation violation was not discovered by the state before the person's 20th [~~19th~~] birthday, the district court shall dispose of the violation of community supervision or probation, as appropriate, in the same manner as if the court had originally exercised jurisdiction over the case. If the judge revokes community supervision, the judge may reduce the prison sentence to any length without regard to the minimum term imposed by Article 42A.755(a), Code of Criminal Procedure.

(i) If the juvenile court exercises jurisdiction over a person on or after the person's 19th or 20th birthday [~~who is 18 or 19 years of age or older~~], as applicable, under Section 51.041 or 51.0412, the court or jury may, if the person is otherwise eligible, place the person on probation under Section 54.04(q). The juvenile court shall set the conditions of probation and immediately transfer supervision of the person to the appropriate court exercising criminal jurisdiction under Subsection (e).

SECTION 4.11. Section 54.11(l), Family Code, is amended to read as follows:

(l) Pending the conclusion of a transfer hearing, the juvenile court shall order that the person who is referred for transfer be detained in a certified juvenile detention facility as provided by Subsection (m). If the person is at least 18 [~~17~~] years of age, the juvenile court may order that the person be detained without bond in an appropriate county facility for the detention of adults accused of criminal offenses.

SECTION 4.12. Section 55.15, Family Code, is amended to read as follows:

Sec. 55.15. STANDARDS OF CARE; EXPIRATION OF COURT ORDER FOR MENTAL HEALTH SERVICES. Treatment ordered under this subchapter for a child with mental illness must focus on the stabilization of the child's mental illness and on meeting the child's psychiatric needs in the least restrictive appropriate setting. If the juvenile court or a court to which the child's case is referred under Section 55.12(2) orders mental health services for the child, the child shall be cared for, treated, and released in conformity to Subtitle C, Title 7, Health and Safety Code, except:

(1) a court order for mental health services for a child automatically expires on the 120th day after the date the child becomes 19 [~~18~~] years of age; and

(2) the administrator of a mental health facility shall notify, in writing, by certified mail, return receipt requested, the juvenile court that ordered mental health services or the juvenile court that referred the case to a court that ordered the mental health services of the intent to discharge the child at

least 10 days prior to discharge.

SECTION 4.13. Section 55.18, Family Code, is amended to read as follows:

Sec. 55.18. DISCHARGE FROM COURT-ORDERED INPATIENT OR OUTPATIENT MENTAL HEALTH SERVICES BEFORE REACHING 19 [~~18~~] YEARS OF AGE. If the child is discharged from the mental health facility or from outpatient treatment services before reaching 19 [~~18~~] years of age, the juvenile court may:

(1) dismiss the juvenile court proceedings with prejudice; or

(2) dissolve the stay and continue with proceedings under this title as though no order of mental health services had been made.

SECTION 4.14. The heading to Section 55.19, Family Code, is amended to read as follows:

Sec. 55.19. DISCRETIONARY TRANSFER TO CRIMINAL COURT ON 19TH [~~18TH~~] BIRTHDAY.

SECTION 4.15. Section 55.19(a), Family Code, is amended to read as follows:

(a) The juvenile court may waive its exclusive original jurisdiction and transfer all pending proceedings from the juvenile court to a criminal court on or after the 19th [~~18th~~] birthday of a child for whom the juvenile court or a court to which the child's case was referred under Section 55.12(2) ordered inpatient mental health services if:

(1) the child is not discharged or furloughed from the inpatient mental health facility before reaching 19 [~~18~~] years of

age; and

(2) the child is alleged to have engaged in delinquent conduct that included a violation of a penal law listed in Section 53.045 and no adjudication concerning the alleged conduct has been made.

SECTION 4.16. Section 55.43(a), Family Code, is amended to read as follows:

(a) The prosecuting attorney may file with the juvenile court a motion for a restoration hearing concerning a child if:

(1) the child is found unfit to proceed as a result of mental illness or an intellectual disability; and

(2) the child:

(A) is not:

(i) ordered by a court to receive inpatient mental health or intellectual disability services;

(ii) ordered by a court to receive services at a residential care facility; or

(iii) ordered by a court to receive treatment or services on an outpatient basis; or

(B) is discharged or currently on furlough from a mental health facility or discharged from an alternative setting before the child reaches 19 [~~18~~] years of age.

SECTION 4.17. The heading to Section 55.44, Family Code, is amended to read as follows:

Sec. 55.44. DISCRETIONARY TRANSFER TO CRIMINAL COURT ON 19TH [~~18TH~~] BIRTHDAY OF CHILD.

SECTION 4.18. Section 55.44(a), Family Code, is amended to

read as follows:

(a) The juvenile court may waive its exclusive original jurisdiction and transfer all pending proceedings from the juvenile court to a criminal court on or after the 19th [~~18th~~] birthday of a child for whom the juvenile court or a court to which the child's case is referred has ordered inpatient mental health services or residential care for persons with an intellectual disability if:

(1) the child is not discharged or currently on furlough from the facility before reaching 19 [~~18~~] years of age; and

(2) the child is alleged to have engaged in delinquent conduct that included a violation of a penal law listed in Section 53.045 and no adjudication concerning the alleged conduct has been made.

SECTION 4.19. The heading to Section 56.03, Family Code, is amended to read as follows:

Sec. 56.03. APPEAL BY STATE [~~IN CASES OF OFFENSES ELIGIBLE FOR DETERMINATE SENTENCE~~].

SECTION 4.20. Section 56.03(b), Family Code, is amended to read as follows:

(b) The state is entitled to appeal an order of a court:

(1) in a juvenile case in which the grand jury has approved of the petition under Section 53.045 if the order:

(A) [~~(1)~~] dismisses a petition or any portion of a petition;

(B) [~~(2)~~] arrests or modifies a judgment;

(C) [~~(3)~~] grants a new trial;

(D) [~~(4)~~] sustains a claim of former jeopardy;

or

(E) [~~(5)~~] grants a motion to suppress evidence, a confession, or an admission and if:

(i) [~~(A)~~] jeopardy has not attached in the case;

(ii) [~~(B)~~] the prosecuting attorney certifies to the trial court that the appeal is not taken for the purpose of delay; and

(iii) [~~(C)~~] the evidence, confession, or admission is of substantial importance in the case; or

(2) if the order denies the transfer of the child under Section 54.02 to criminal court for prosecution as an adult.

SECTION 4.21. Section 58.0052(a)(3), Family Code, is amended to read as follows:

(3) "Multi-system youth" means a person who:

(A) is younger than 20 [~~19~~] years of age; and

(B) has received services from two or more juvenile service providers.

SECTION 4.22. Section 58.253(b), Family Code, is amended to read as follows:

(b) A person who was referred to a juvenile probation department for delinquent conduct is entitled to have all records related to the person's juvenile matters, including records relating to any matters involving conduct indicating a need for supervision, sealed without applying to the juvenile court if the person:

(1) is at least 20 [~~19~~] years of age;

(2) has not been adjudicated as having engaged in delinquent conduct or, if adjudicated for delinquent conduct, was not adjudicated for delinquent conduct violating a penal law of the grade of felony;

(3) does not have any pending delinquent conduct matters;

(4) has not been transferred by a juvenile court to a criminal court for prosecution under Section 54.02;

(5) has not as an adult been convicted of a felony or a misdemeanor punishable by confinement in jail; and

(6) does not have any pending charges as an adult for a felony or a misdemeanor punishable by confinement in jail.

SECTION 4.23. Section 58.255(a), Family Code, is amended to read as follows:

(a) A person who was referred to a juvenile court for conduct indicating a need for supervision is entitled to have all records related to all conduct indicating a need for supervision matters sealed without applying to the juvenile court if the person:

(1) has records relating to the conduct filed with the court clerk;

(2) is at least 19 [~~18~~] years of age;

(3) has not been referred to the juvenile probation department for delinquent conduct;

(4) has not as an adult been convicted of a felony; and

(5) does not have any pending charges as an adult for a felony or a misdemeanor punishable by confinement in jail.

SECTION 4.24. Section 58.256(c), Family Code, is amended to read as follows:

(c) Except as provided by Subsection (d), the juvenile court may order the sealing of records related to all matters for which the person was referred to the juvenile probation department if the person:

(1) is at least 18 [~~17~~] years of age, or is younger than 18 [~~17~~] years of age and at least one year has elapsed after the date of final discharge in each matter for which the person was referred to the juvenile probation department;

(2) does not have any delinquent conduct matters pending with any juvenile probation department or juvenile court;

(3) was not transferred by a juvenile court to a criminal court for prosecution under Section 54.02;

(4) has not as an adult been convicted of a felony; and

(5) does not have any pending charges as an adult for a felony or a misdemeanor punishable by confinement in jail.

SECTION 4.25. Section 58.264(b), Family Code, is amended to read as follows:

(b) The records related to a person referred to a juvenile probation department may be destroyed if the person:

(1) is at least 19 [~~18~~] years of age, and:

(A) the most serious conduct for which the person was referred was conduct indicating a need for supervision, whether or not the person was adjudicated; or

(B) the referral or information did not relate to conduct indicating a need for supervision or delinquent conduct and

the juvenile probation department, prosecutor, or juvenile court did not take action on the referral or information for that reason;

(2) is at least 21 years of age, and:

(A) the most serious conduct for which the person was adjudicated was delinquent conduct that violated a penal law of the grade of misdemeanor; or

(B) the most serious conduct for which the person was referred was delinquent conduct and the person was not adjudicated as having engaged in the conduct; or

(3) is at least 31 years of age and the most serious conduct for which the person was adjudicated was delinquent conduct that violated a penal law of the grade of felony.

SECTION 4.26. Section 59.005(b), Family Code, is amended to read as follows:

(b) The juvenile court or the probation department shall discharge the child from the custody of the probation department on the date the provisions of this section are met or on the child's 19th [~~18th~~] birthday, whichever is earlier.

SECTION 4.27. Section 59.006(b), Family Code, is amended to read as follows:

(b) The juvenile court shall discharge the child from the custody of the probation department on the date the provisions of this section are met or on the child's 19th [~~18th~~] birthday, whichever is earlier.

SECTION 4.28. Section 59.007(b), Family Code, is amended to read as follows:

(b) The juvenile court shall discharge the child from the

custody of the probation department on the date the provisions of this section are met or on the child's 19th [~~18th~~] birthday, whichever is earlier.

SECTION 4.29. Section 59.008(b), Family Code, is amended to read as follows:

(b) The juvenile court shall discharge the child from the custody of the probation department on the date the provisions of this section are met or on the child's 19th [~~18th~~] birthday, whichever is earlier.

SECTION 4.30. Section 59.009(c), Family Code, is amended to read as follows:

(c) The Texas Juvenile Justice Department, juvenile board, or local juvenile probation department may discharge the child from the custody of the department, board, or probation department, as applicable, on the date the provisions of this section are met or on the child's 20th [~~19th~~] birthday, whichever is earlier.

SECTION 4.31. Section 61.051(c), Family Code, is amended to read as follows:

(c) The juvenile court retains jurisdiction to enter a contempt order if the motion for enforcement is filed not later than six months after the child's 19th [~~18th~~] birthday.

SECTION 4.32. Section 614.019(b), Health and Safety Code, is amended to read as follows:

(b) A child with mental illness who is receiving continuity of care services during parole from the Texas Juvenile Justice Department and who is no longer eligible to receive services from a local mental health authority when the child becomes 18 [~~17~~] years

of age because the child does not meet the requirements of a local service area plan under Section 533.0352(a) may continue to receive continuity of care services from the office until the child completes the child's parole.

SECTION 4.33. Section 63.001(1), Human Resources Code, is amended to read as follows:

(1) "Juvenile" means a person from the age of 10 to 20 [~~18~~] years who:

(A) has been found to have engaged in delinquent conduct by a juvenile court; and

(B) is under the jurisdiction of the juvenile court [~~of competent jurisdiction~~].

SECTION 4.34. Section 152.0015, Human Resources Code, is amended to read as follows:

Sec. 152.0015. PRETRIAL DETENTION POLICY FOR CERTAIN JUVENILES. A juvenile board shall establish a policy that specifies whether a person who has been transferred for criminal prosecution under Section 54.02, Family Code, and is younger than 18 [~~17~~] years of age may be detained in a juvenile facility pending trial as provided by Section 51.12, Family Code.

SECTION 4.35. Section 201.001(a)(2), Human Resources Code, is amended to read as follows:

(2) "Child" means an individual[~~:~~

[~~(A)~~] 10 years of age or older and younger than 20 [~~18~~] years of age who is under the jurisdiction of a juvenile court[~~; or~~

[~~(B) 10 years of age or older and younger than 19~~

~~years of age who is committed to the department under Title 3, Family Code~~].

SECTION 4.36. Section 243.001(a), Human Resources Code, is amended to read as follows:

(a) The department may not assign a child younger than 16 [~~15~~] years of age to the same correctional facility dormitory as a person who is at least 18 [~~17~~] years of age unless the department determines that the placement is necessary to ensure the safety of children in the custody of the department. This subsection does not apply to a dormitory that is used exclusively for short-term assessment and orientation purposes.

SECTION 4.37. Section 243.051(b), Human Resources Code, is amended to read as follows:

(b) A child who is arrested or taken into custody under Subsection (a) may be detained in any suitable place, including an adult jail facility if the person is 18 [~~17~~] years of age or older, until the child is returned to the custody of the department or transported to a department facility.

SECTION 4.38. Sections 244.014(a) and (a-1), Human Resources Code, are amended to read as follows:

(a) After a child sentenced to commitment under Section 54.04(d)(3), 54.04(m), or 54.05(f), Family Code, becomes 17 [~~16~~] years of age but before the child becomes 20 [~~19~~] years of age, the department may refer the child to the juvenile court that entered the order of commitment for approval of the child's transfer to the Texas Department of Criminal Justice for confinement if:

(1) the child has not completed the sentence; and

(2) the child's conduct, regardless of whether the child was released under supervision under Section 245.051, indicates that the welfare of the community requires the transfer.

(a-1) After a child sentenced to commitment under Section 54.04(d)(3), 54.04(m), or 54.05(f), Family Code, becomes 17 [~~16~~] years of age but before the child becomes 20 [~~19~~] years of age, the department shall refer the child to the juvenile court that entered the order of commitment for approval of the child's transfer to the Texas Department of Criminal Justice for confinement if:

(1) the child has not completed the sentence;

(2) while the child was committed to the custody of the department, the child was subsequently adjudicated or convicted for conduct constituting a felony of the first or second degree or an offense punishable under Section 22.01(b)(1), Penal Code; and

(3) the child was at least 17 [~~16~~] years of age at the time the conduct occurred.

SECTION 4.39. Section 244.015, Human Resources Code, is amended to read as follows:

Sec. 244.015. EVALUATION OF CERTAIN CHILDREN SERVING DETERMINATE SENTENCES. (a) When a child who is sentenced to commitment under Section 54.04(d)(3), 54.04(m), or 54.05(f), Family Code, becomes 19 [~~18~~] years of age, the department shall evaluate whether the child is in need of additional services that can be completed in the six-month period after the child's 19th [~~18th~~] birthday to prepare the child for release from the custody of the department or transfer to the Texas Department of Criminal Justice.

(b) This section does not apply to a child who is released from the custody of the department or who is transferred to the Texas Department of Criminal Justice before the child's 19th [~~18th~~] birthday.

SECTION 4.40. Section 245.053(i), Human Resources Code, is amended to read as follows:

(i) If the department requires as a condition of release that a child attend psychological counseling under Subsection (a), the department may, before the date the period of release ends, petition the appropriate court to request the court to extend the period of release for an additional period necessary to complete the required counseling as determined by the treatment provider, except that the release period may not be extended to a date after the date of the child's 19th [~~18th~~] birthday.

SECTION 4.41. Sections 245.151(d) and (e), Human Resources Code, are amended to read as follows:

(d) Except as provided by Subsection (e), the department shall discharge from its custody a person not already discharged on the person's 20th [~~19th~~] birthday.

(e) The department shall transfer a person who has been sentenced under a determinate sentence to commitment under Section 54.04(d)(3), 54.04(m), or 54.05(f), Family Code, or who has been returned to the department under Section 54.11(i)(1), Family Code, to the custody of the Texas Department of Criminal Justice on the person's 20th [~~19th~~] birthday, if the person has not already been discharged or transferred, to serve the remainder of the person's sentence on parole as provided by Section 508.156, Government Code.

SECTION 4.42. (a) Except as provided by Subsection (b) of this section, the changes in law made by this article apply only to procedures relating to conduct that occurs on or after September 1, 2029. Procedures relating to conduct that occurred before September 1, 2029, are governed by the law in effect on the date the conduct occurred, and the former law is continued in effect for that purpose.

(b) The change in law made by this article to Section 58.0052, Family Code, applies to the sharing of information on or after September 1, 2029, without regard to whether the information was compiled before, on, or after that date.

(c) For purposes of this section, conduct occurred before September 1, 2029, if any element of the conduct occurred before that date.

ARTICLE 5. MISCELLANEOUS LAWS RELATING TO AGE OF CRIMINAL RESPONSIBILITY

SECTION 5.01. Section 109.001(5), Business & Commerce Code, is amended to read as follows:

(5) "Confidential criminal record information of a child" means information about a person's involvement in the criminal justice system resulting from conduct that occurred or was alleged to occur when the person was younger than 18 [~~17~~] years of age that is confidential under Chapter 45A, Code of Criminal Procedure, or other law. The term does not include:

(A) criminal record information of a person certified to stand trial as an adult for that conduct, as provided by Section 54.02, Family Code; or

(B) information relating to a traffic offense.

SECTION 5.02. Section 65.251(b), Family Code, is amended to read as follows:

(b) If a child fails to obey an order issued by a truancy court under Section 65.103(a) or a child is in direct contempt of court and the child has failed to obey an order or has been found in direct contempt of court on two or more previous occasions, the truancy court, after providing notice and an opportunity for a hearing, may refer the child to the juvenile probation department as a request for truancy intervention, unless the child failed to obey the truancy court order or was in direct contempt of court while 18 [~~17~~] years of age or older.

SECTION 5.03. Section 79.001(10), Government Code, is amended to read as follows:

(10) "Juvenile offense" means conduct committed by a person while younger than 18 [~~17~~] years of age that constitutes:

(A) a misdemeanor punishable by confinement; or

(B) a felony.

SECTION 5.04. Section 521.201, Transportation Code, is amended to read as follows:

Sec. 521.201. LICENSE INELIGIBILITY IN GENERAL. The department may not issue any license to a person who:

(1) is under 15 years of age;

(2) is under 18 years of age unless the person complies with the requirements imposed by Section 521.204;

(3) is shown to be addicted to the use of alcohol, a controlled substance, or another drug that renders a person

incapable of driving;

(4) holds a driver's license issued by this state or another state or country that is revoked, canceled, or under suspension;

(5) has been determined by a judgment of a court to be totally incapacitated or incapacitated to act as the operator of a motor vehicle unless the person has, by the date of the license application, been:

(A) restored to capacity by judicial decree; or

(B) released from a hospital for the mentally incapacitated on a certificate by the superintendent or administrator of the hospital that the person has regained capacity;

(6) the department determines to be afflicted with a mental or physical disability or disease that prevents the person from exercising reasonable and ordinary control over a motor vehicle while operating the vehicle on a highway, except that a person may not be refused a license because of a physical defect if common experience shows that the defect does not incapacitate a person from safely operating a motor vehicle;

(7) has been reported by a court under Section 521.3452 for failure to appear unless the court has filed an additional report on final disposition of the case; or

(8) has been reported by a court for failure to appear or default in payment of a fine for a misdemeanor that is not covered under Subdivision (7) and that is punishable by a fine only, including a misdemeanor under a municipal ordinance, committed by a

person who was under 18 [~~17~~] years of age at the time of the alleged offense, unless the court has filed an additional report on final disposition of the case.

SECTION 5.05. Section 65.251(b), Family Code, and Section 521.201, Transportation Code, as amended by this article, apply only to an offense committed or conduct that occurred on or after September 1, 2029. An offense committed or conduct that occurred before September 1, 2029, is governed by the law in effect on the date the offense was committed or the conduct occurred, and the former law is continued in effect for that purpose. For purposes of this section, an offense was committed or conduct occurred before September 1, 2029, if any element of the offense or conduct occurred before that date.

ARTICLE 6. ADVISORY COMMITTEE

SECTION 6.01. ADVISORY COMMITTEE ON IMPLEMENTATION. (a) Not later than December 1, 2027, the Texas Juvenile Justice Board shall appoint an advisory committee to monitor and evaluate implementation of this Act.

(b) In making appointments to the advisory committee, the board shall include members who are interested parties, including:

(1) the executive director of the Texas Juvenile Justice Department or the executive director's designee;

(2) the director of probation services of the Texas Juvenile Justice Department or the director's designee;

(3) the executive commissioner of the Health and Human Services Commission or the executive commissioner's designee;

(4) one representative of county commissioners courts

appointed by the board;

(5) two juvenile court judges appointed by the board;

(6) seven chief juvenile probation officers appointed by the board as provided by Subsection (c) of this section;

(7) juvenile prosecutors;

(8) juvenile defense attorneys;

(9) juvenile justice advocates; and

(10) individuals who were adjudicated for juvenile offenses in this state or who were prosecuted as adults for offenses committed when they were 17 years old, or their family members.

(c) The board shall appoint to the advisory committee one chief juvenile probation officer from each regional chiefs association in this state from a list of nominees submitted to the board by each regional chiefs association. To the greatest extent practicable, a regional chiefs association shall include in the association's list of nominees:

(1) one chief juvenile probation officer of a juvenile probation department serving a county with a population that includes fewer than 7,500 persons younger than 18 years of age;

(2) one chief juvenile probation officer of a juvenile probation department serving a county with a population that includes at least 7,500 but fewer than 80,000 persons younger than 18 years of age; and

(3) one chief juvenile probation officer of a juvenile probation department serving a county with a population that includes 80,000 or more persons younger than 18 years of age.

(d) The board shall designate one of the members as

presiding officer of the advisory committee.

(e) The advisory committee shall assist the Texas Juvenile Justice Department in evaluating and monitoring the implementation of this Act, which includes determining the needs and problems of county juvenile boards and probation departments, and offer recommendations to meet identified needs and problems.

(f) Members of the advisory committee serve without compensation and are not entitled to reimbursement for expenses.

(g) The advisory committee is not subject to Chapter 2110, Government Code.

(h) The advisory committee is abolished and this article expires June 1, 2030.

ARTICLE 7. EFFECTIVE DATES

SECTION 7.01. (a) Except as provided by Subsection (b) of this section, this Act takes effect September 1, 2029.

(b) Article 6 of this Act takes effect September 1, 2027.