

SUBJECT: Allowing juvenile courts to set requirements for truants in small counties

COMMITTEE: Juvenile Justice and Family Issues — favorable, without amendment

VOTE: 8 ayes — Dutton, Goodman, Baxter, Castro, Hodge, J. Moreno, Morrison, Reyna
0 nays
1 absent — Dunnam

WITNESSES: None

BACKGROUND: SB 1432 by West, enacted by the 77th Legislature in 2001, created penalties for truant students and their parents. The act gave jurisdiction over truants to juvenile courts in counties with a population of less than 100,000.

Code of Criminal Procedure, art. 45.054 authorizes justice and municipal courts to set certain requirements for truants and their parents. The court can require the person to attend programs for alcohol and drug abuse, counseling, training in self-esteem and leadership, or parenting classes. The court also can order the student and the parents to attend dropout prevention classes and can require that the parent attend the truancy hearing.

DIGEST: HB 829 would specify that the provisions of the Code of Criminal Procedure, art. 45.054 apply to a juvenile court in a county with a population of less than 100,000.

The bill would take effect September 1, 2003.

SUPPORTERS SAY: HB 829 would resolve a discrepancy created last session when the Legislature gave juvenile judges in small counties the authority to hear truancy cases but did not give them explicit authority to set the same requirements for truants and their parents as courts in larger counties can set. This has resulted in confusion about whether juvenile judges have the same authority as judges in larger counties to impose an array of possible requirements listed in the Code of Criminal Procedure. HB 829 would give juvenile judges in small counties

HB 829
House Research Organization
page 2

clear authority to choose from an extensive list of requirements in determining the most appropriate consequences for truants and their parents.

OPPONENTS
SAY:

No apparent opposition.