

## **BILL ANALYSIS**

Senate Research Center

H.B. 1006  
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### **DIGEST**

Currently, the penalty for possession of a weapon by a minor is a misdemeanor. Juveniles are increasingly committing crimes with the use of handguns. For most youths, obtaining a driver's license is a special privilege. As a possible deterrent to violence, juveniles convicted of unlawfully carrying a weapon should lose this special privilege. This bill would require a juvenile court to order the Department of Public Safety to suspend a child's driver's license or permit if the child is engaged in conduct that violates a penal law prohibiting or use of a firearm while driving a motor vehicle.

### **PURPOSE**

As proposed, H.B. 1006 requires a juvenile court to order the Department of Public Safety to suspend a child's driver's license or permit if the child has engaged in conduct that violates a penal law prohibiting the possession or use of a firearm while driving a motor vehicle.

### **RULEMAKING AUTHORITY**

This bill does not grant any additional rulemaking authority to a state officer, institution, or agency.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Section 54, Family Code, by adding Section 54.0421, as follows:

Sec. 54.0421. LICENSE SUSPENSION OR DENIAL FOR USE OR POSSESSION OF FIREARM. Defines "firearm." Requires a juvenile court, in a disposition hearing under Section 54.04, to order the Department of Public Safety (DPS) to suspend a child's driver's license or permit or, if the child does not have a license or permit, to deny the issuance of a license or permit to the child if the court finds that the child, while in the motor vehicle, engaged in certain acts. Requires the order to specify a period of suspension or denial for two years or until the child reaches the age of 17, whichever is longer. Prohibits a child whose driver's license or permit has been suspended or denied under Subsection (b) from applying for an occupational license under Chapter 521L, Transportation Code, unless the juvenile court specifies in the order that the child remains eligible to receive an occupational license under Chapter 521L, Transportation Code.

SECTION 2. Effective date: September 1, 1997.  
Makes application of this Act prospective.

SECTION 3. Emergency clause.