

BILL ANALYSIS

Senate Research Center
76R6886 CAS-F

H.B. 1961
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Education
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Engrossed

DIGEST

Currently, the Education Code directs school attendance officers to file a complaint against the parents of a child if the parents fail to require their child to attend school. A violation of the compulsory attendance law is a Class C misdemeanor, punishable by a fine. Currently, one-half of the collected fine is required to be deposited to the credit of the general fund of the county or municipality in which the complaint is filed, and the other half is deposited to the credit of the operating fund of the child's school district. In 1995, the 75th Legislature created juvenile justice alternative education programs to educate students who are expelled from school for serious offenses. Once a juvenile is ordered to attend an alternative education program, the student no longer technically attends school in the school district, and any fines collected for a student who does not attend an alternative education program do not go to the operating fund of the institution which is responsible for that student's education. This bill requires truancy fines to be deposited to the credit of the juvenile justice alternative education program a child has been ordered to attend, if the child has been ordered to attend such a program, or to the credit of the operating fund of the child's school district.

PURPOSE

As proposed, H.B. 1961 requires truancy fines to be deposited to the credit of the juvenile justice alternative education program a child has been ordered to attend, if the child has been ordered to attend such a program, or to the credit of the operating fund of the child's school district.

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 25.093(f), Education Code, to require one-half of the fine collected under this section to be deposited to the credit of the juvenile justice alternative education program that a child has been ordered to attend, if the child has been ordered to attend such a program, or to the credit of the operating fund of the child's school district.

SECTION 2. Makes application of this Act prospective.

SECTION 3. Effective date: September 1, 1999.

SECTION 4. Emergency clause.