

BILL ANALYSIS

Senate Research Center
76R1036 JMC-D

H.B. 251
By: Puente (Ellis)
Jurisprudence
4/15/1999
Engrossed

DIGEST

Currently, a child is authorized to appeal a court ruling based on an agreement between the state and the child, without condition or permission from the trial judge. H.B. 251 prohibits a child from making such an appeal, and requires the court to warn the child of the prohibition, in the case of a plea or stipulation made by the child and accepted by the court.

PURPOSE

As proposed, H.B. 251 prohibits a child from appealing a juvenile court order subsequent to a plea or stipulation of evidence.

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 Chapter 54, Family Code, by adding Section 54.034, as follows:

Sec. 54.034. LIMITED RIGHT TO APPEAL: WARNING. Requires the court to inform the child of a prohibition against appeal prior to acceptance of a child's plea, unless certain conditions exist.

SECTION 2. Amends Section 56.01, Family Code, by amending Subsections (c) and (d) and adding Subsection (n), to prohibit a child who enters a plea from appealing an order of the juvenile court, if the court makes a disposition regarding the disposition of the case, unless certain conditions exist. Makes conforming changes.

SECTION 3. Makes application of this Act prospective.

SECTION 4. Effective date: September 1, 1999.

SECTION 5. Emergency clause.