

## **BILL ANALYSIS**

Senate Research Center  
76R13532 DAK-D

H.B. 3355  
By: Staples (Duncan)  
Criminal Justice  
5/13/1999  
Engrossed

### **DIGEST**

Current law requires a law enforcement officer who takes a child into custody to transport the child to the appropriate detention facility if the child is not released. If the detention facility is located in another county, however, the sheriff of the county where the child was taken into custody must transport the child. This transportation requirement may be a burden for a sheriff's department with few resources and a limited workforce. H.B. 3355 requires the law enforcement officer who takes the child into custody to transport the child unless the commissioners court of the county authorizes the sheriff to do so.

### **PURPOSE**

As proposed, H.B. 3355 requires the law enforcement officer who takes the child into custody to transport the child unless the commissioners court of the county authorizes the sheriff to do so.

### **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 Sections 52.026(b), Family Code, to require a law enforcement officer who takes a child into custody to transport the child to the appropriate juvenile detention facility if the facility is located outside the county in which the child is taken into custody, unless the child is detained in a secure detention facility or is released to a parent, guardian, or custodian of the child. Requires the sheriff to transport the child if authorized by the commissioners court of the county.

SECTION 2. Makes application of this Act prospective.

SECTION 3. Emergency clause.  
Effective date: upon passage.