

BILL ANALYSIS

Senate Research Center
80R13554 SLO-F

C.S.S.B. 1072
By: Janek
Jurisprudence
4/5/2007
Committee Report (Substituted)

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Municipal peace officers do not have the authority to transfer a juvenile from a location where the juvenile was taken into custody to their assigned school after the juvenile has been taken into custody for certain reasons, including delinquent conduct.

C.S.S.B. 1072 authorizes a peace officer to bring a juvenile in custody to the school campus to which the child is assigned if the principal, the principal's designee, or a peace officer assigned to the campus agrees to assume responsibility for the child for the remainder of the school day.

RULEMAKING AUTHORITY

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

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 52.02(a), Family Code, as follows:

(a) Includes among the required actions of a person who takes a child into custody that the person, without unnecessary delay and without first taking the child to any place other than a juvenile processing office designated under Section 52.025, except as provided by Subsection (c), bring the child to the school campus to which the child is assigned if the principal, the principal's designee, or a peace officer assigned to the campus agrees to assume responsibility for the child for the remainder of the school day if school is in session and the child is a student.

SECTION 2. Amends Section 52.026(a), Family Code, as follows:

(a) Provides that it is the duty of the law enforcement officer who has taken a child into custody to transport the child to the appropriate detention facility or to the school campus to which the child is assigned as provided by Section 52.02(a)(7) if the child is not released to the parent, guardian, or custodian of the child.

SECTION 3. Effective date: September 1, 2007.