

BILL ANALYSIS

Senate Research Center

H.B. 2947
By: Goodman (Harris)
Jurisprudence
5/13/1999
Engrossed

DIGEST

Currently, a child can be committed to the Texas Youth Commission if the child is adjudicated to have engaged in delinquent conduct. Delinquent conduct is defined in Section 51.03, Family Code, as violation of a penal law of this state or of the United States that is punishable by imprisonment or confinement in jail, violation of certain orders of a juvenile court, contempt of a municipal or justice court, or driving under the influence of alcohol. H.B. 2947 creates provisions regarding the disposition of children adjudicated as having engaged in delinquent conduct.

PURPOSE

As proposed, H.B. 2947 creates provisions regarding the disposition of children adjudicated as having engaged in delinquent conduct.

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 54.04, Family Code, by amending Subsection (d) and adding Subsection (q), to set forth provisions regarding the violation of a penal law of Texas or the United States of the grade of felony or misdemeanor. Authorizes the court to make a disposition for delinquent conduct that violates a penal law of the grade of misdemeanor, under certain conditions.

SECTION 2. Amends Chapter 54, Family Code, by adding Section 54.0406, as follows:

Sec. 54.0406. CHILD PLACED IN COUNTY DETENTION FACILITY AS CONDITION OF PROBATION. Authorizes the court to place a child in a certified juvenile detention or correction facility for a certain term, at a certain time, under certain conditions. Prohibits the total amount of time a child is placed in a detention facility from exceeding 30 days.

SECTION 3. Amends Section 54.05, Family Code, by amending Subsections (f) and (g) and adding Subsection (j), to authorize the court to modify a disposition that is based on a finding that a child engaged in delinquent conduct that violates certain laws, under certain conditions. Makes conforming changes.

SECTION 4. Makes application of the change in law made by Section 54.0406, Family Code, prospective.

SECTION 5. (a) Effective date: September 1, 1999.

(b) Makes application of this Act prospective.

SECTION 6. Emergency clause.