

## **BILL ANALYSIS**

S.B. 888  
By: Hinojosa  
Juvenile Justice & Family Issues  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

Currently, a juvenile who is certified to stand trial as an adult cannot appeal that certification until after conviction or after an order of deferred adjudication has been entered, a process that can take years. Interested parties contend that allowing an appeal at an earlier point could save the state valuable resources if it is determined that a certification was improper prior to the adult trial. S.B. 888 seeks to bring fairness, equity, and efficiency to this appeals process.

### **CRIMINAL JUSTICE IMPACT**

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that rulemaking authority is expressly granted to the Supreme Court of Texas in SECTION 3 of this bill.

### **ANALYSIS**

S.B. 888 amends the Family Code to include an appeal of a juvenile court order that waives the juvenile court's exclusive original jurisdiction and that transfers a child to criminal court for prosecution among the appeals that have precedence over all other cases. The bill requires the Supreme Court of Texas to adopt rules accelerating the disposition by the appellate court and the supreme court of such an appeal and includes such an appeal among the appeals that may be taken by or on behalf of a child. The bill establishes that such an appeal does not stay the criminal proceedings pending the disposition of that appeal.

S.B. 888 amends the Code of Criminal Procedure to make a conforming change.

S.B. 888 repeals Article 44.47, Code of Criminal Procedure, authorizing a defendant to appeal an order of a juvenile court certifying the defendant to stand trial as an adult and transferring the defendant from a juvenile court to a criminal court.

### **EFFECTIVE DATE**

September 1, 2015.