

SUBJECT: Repealing the ability of political subdivisions to adopt juvenile curfews

COMMITTEE: Youth Health & Safety, Select — favorable, without amendment

VOTE: 8 ayes — S. Thompson, Hull, Allison, Capriglione, Dutton, A. Johnson, Landgraf, Lozano

1 nay — T. King

WITNESSES: For — Martin Martinez, Texas Appleseed; Anita Scott, Kara Simmons, Texas Home School Coalition; Ronald Smith, Texas Network of Youth Services (*Registered, but did not testify*: Aaryce Hayes, Disability Rights Texas; Paige Duggins-Clay, IDRA; Zoë Jones-Walton, Texans Care for Children; Alejandro Pena, Texas American Federation of Teachers; Sarah Crockett, Texas CASA; Alycia Castillo, Texas Center for Justice and Equity; Alexis Bay, Texas Civil Rights Project; Lauren Rose, Texas Network of Youth Services; Nikki Pressley, Texas Public Policy Foundation; and 23 individuals)

Against — (*Registered, but did not testify*: Lupe Cuellar, City of El Paso; Jennifer Szimanski, Combined Law Enforcement Associations of Texas; James Parnell, Dallas Police Association; David Shilson, Frisco Police Department; Ray Hunt, HPOU; Brian Hawthorne, Sheriffs' Association of Texas; Carly Blaine; Christine Gwillim; Lindsey Sikes)

BACKGROUND: Some have suggested that removing juvenile curfew ordinances could help more youth to succeed without the burden of a criminal record.

DIGEST: The bill would prohibit a political subdivision from adopting or enforcing an order, ordinance, or other measure that imposed a curfew to regulate the movements or actions of persons younger than 18 years old. This prohibition would not apply to a curfew implemented for purposes of emergency management. Accordingly, the bill would repeal provisions relating to county juvenile curfews, juvenile curfews in a general-law municipality, procedures for children taken into custody for violation of juvenile curfew or order, and other provisions relating to juvenile curfews.

The bill would amend applicable codes to make conforming changes.

The bill would take effect September 1, 2023, and a violation of a juvenile curfew ordinance order could not be prosecuted or adjudicated after that date. If a criminal or civil action was pending for a violation of a juvenile curfew ordinance or order, that action would be dismissed September 1, 2023.