

BILL ANALYSIS

Senate Research Center

H.B. 115
By: Tillery (Shapiro)
Criminal Justice
4-22-97
Engrossed

DIGEST

Currently, the only enforcement measure for the failure of the parent, managing conservator, or guardian to appear with the child in response to a summons is limited to a contempt proceeding. This bill will provide that a parent, managing conservator, or guardian who fails to attend a hearing after receiving a summons to appear with a child commits a Class C misdemeanor.

PURPOSE

As proposed, H.B. 115 provides that a parent, managing conservator, or guardian who fails to attend a hearing after receiving a summons to appear with a child commits a Class C misdemeanor.

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 54.022, Family Code, by amending Subsections (e) and (g), and adding Subsection (h), to require a summons to include a warning that the failure of the parent, managing conservator, or guardian to appear at a hearing with a child may be punishable as a Class C misdemeanor. Provides that a person commits a Class C misdemeanor if the person is a parent, managing conservator, or guardian who fails to attend a hearing under this section after receiving an order under Subsection (e). Makes a conforming change.

SECTION 2. Makes application of this Act prospective.

SECTION 3. Effective date: September 1, 1997.

SECTION 4. Emergency clause.