

## **BILL ANALYSIS**

Senate Research Center

H.B. 1606  
By: Hartnett (Harris)  
Education  
5-14-97  
Engrossed

### **DIGEST**

Currently, a school district may file against a truant student only in the precinct where the person lives or where the person's school is located. This practice creates a backlog of cases in some precincts that serve several schools while some adjacent precincts may have few truancy cases. This bill facilitates the timely adjudication of truancy cases by allowing more courts to be used in handling truancy cases.

### **PURPOSE**

As proposed, H.B. 1606 facilitates the timely adjudication of truancy cases by allowing more courts to be used in handling truancy cases.

### **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 Sections 54.021(c), (d), and (f), Family Code, to require the justice or municipal court to enter an order appropriate to the nature of the conduct on a finding that a person has engaged in conduct described by Section 51.03(b)(2) or conduct that violates Section 25.094, Education Code. Sets forth the provision that the court has jurisdiction to enter an order that includes one or more of certain provisions requiring the person to attend special programs determined to be in the best interests of the person, including forms of rehabilitation and training other than an alcohol and drug abuse program, on a finding that a person has engaged in truant conduct described in Section 51.03(b)(2) or other inappropriate conduct. Authorizes a school attendance officer to refer a person alleged to have engaged in conduct described in Section 51.03(b)(2) of this code to a justice court in the county, rather than the precinct, where the person resides or where the person's school is located or to a municipal court of the municipality where the person resides or where the person's school is located, if certain conditions apply. Makes a conforming change.

SECTION 2. Amends Section 25.093(c), Education Code, to require the attendance officer to file a complaint against the parent in the county court, in a justice court in the county in which the parent resides or in which the school is located, or in a municipal court of the municipality in which the parent resides or in which the school is located.

SECTION 3. Amends Section 25.094(b), Education Code, to authorize the prosecution of an offense under this section in a municipal court in the municipality in which the child resides or in which the school is located.

SECTION 4. (a) Effective date: September 1, 1997.

(b) and (c) Makes application of this Act prospective.

SECTION 5. Emergency clause.