

## **BILL ANALYSIS**

Senate Research Center

S.B. 612  
By: Harris  
Criminal Justice  
4-3-97  
As Filed

### **DIGEST**

Currently, the Texas Penal Code is unclear on the issue of whether sporting events for children may present a situation which would lead to a child endangerment charge. This results in a situation in which a parent could be charged with this offense for allowing a child under the age of 15 to participate in competitive sports events. This legislation clarifies that a child's participation or practice in a sporting event, under proper standards of safety and supervision, is not intended to constitute child endangerment.

### **PURPOSE**

As proposed, S.B. 612 establishes the defense to prosecution for abandoning or endangering a child.

### **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 22.041, Penal Code, by adding Subsection (g), to provide that it is a defense to prosecution under Subsection (c), regarding engaging in conduct that places a child younger than 15 years in imminent danger of death, injury, or impairment, that the act or omission enables the child to practice for or participate in an organized athletic event and that appropriate safety equipment and procedures are employed in the event.

SECTION 2. Effective date: September 1, 1997.  
Makes application of this Act prospective.

SECTION 3. Emergency clause.