

BILL ANALYSIS

Senate Research Center
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S.B. 32
By: Shapiro
Criminal Justice
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As Filed

DIGEST

Currently, law enforcement agencies are unable to detain a juvenile prior to a hearing if a juvenile has been taken into custody for engaging in conduct involving a firearm. In such cases, the juveniles are released to their parents or guardian until a detention hearing is set. S.B. 32 would require the immediate detention of juveniles who possess, use, or exhibit a firearm in the commission of an offense.

PURPOSE

As proposed, S.B. 32 establishes provisions relating to the disposition of certain juveniles who unlawfully possess or use a firearm in conduct that constitutes an offense.

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 54.04, Family Code, by amending Subsection (d) and adding Subsection (g), to provide that if a child is adjudicated or if at an adjudication hearing the child is found to have engaged in delinquent conduct involving possession of a firearm, as described in Chapter 46, Section 46.01, Penal Code, the court shall order confinement of the child in a juvenile detention center for not less than one day and not more than 90 days. Makes conforming and nonsubstantive changes.

SECTION 2. Makes application of this Act prospective.

SECTION 3. Effective date: September 1, 1999.

SECTION 4. Emergency clause.