

## **BILL ANALYSIS**

Senate Research Center  
78R7886 KSD-D

H.B. 374  
By: Dutton (Van de Putte)  
Jurisprudence  
5/16/2003  
Engrossed

### **BACKGROUND AND PURPOSE**

Currently, Texas law provides that a parent of a child has the right and a duty to care, control, protect, and reasonably discipline a child. However, when a parent disciplines a minor child with the use of corporal punishment, or "spanking," the parent may be confronted with confusion as to any possible criminal charges that may arise from the use of such punishment. H.B. 374 provides that a parent or a person having a duty to control and reasonably discipline a child may use corporal punishment for the reasonable discipline of the child.

### **RULEMAKING AUTHORITY**

This bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Section 151.001, Family Code by adding Subsection (e) to authorize a parent of a child or other person who has the duty of control and reasonable discipline of the child to use corporal punishment for the reasonable discipline of the child.

SECTION 2. Effective date: upon passage or September 1, 2003.