

BILL ANALYSIS

Senate Research Center

H.B. 383
By: Dutton (Hinojosa)
Jurisprudence
5/19/2005
Engrossed

AUTHOR'S/SPONSOR'S STATEMENT OF INTENT

Current 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. 383 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, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 151.001, Family Code, by adding Subsection (e), to authorize only certain persons who have a certain familial relationship with a child to use corporal punishment for the reasonable discipline of the child.

SECTION 2. Effective date: upon passage or September 1, 2005.