

BILL ANALYSIS

H.B. 516
By: Moody
Juvenile Justice & Family Issues
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Currently, a failure to attend school offense may be prosecuted in a justice or municipal court or, for certain counties, in a constitutional county court. Prosecution may occur in any such court in the county in which the school is located or in which the student resides. Critics assert that allowing prosecution in such a wide range of venues may lead to forum shopping by a complainant and may create waste and inefficiency in areas where a court has been created specifically for the purpose of hearing failure to attend school cases. The purpose of H.B. 516 is to address those concerns.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

H.B. 516 amends the Education Code to include as a venue in which an offense of failure to attend school may be prosecuted, prioritized over a justice court of any precinct in the county in which the individual who commits the offense resides or in which the school is located, a justice court designated to hear cases arising from the offense in such a county.

EFFECTIVE DATE

September 1, 2015.