

SUBJECT: Allowing justice courts as designated venue for some school offenses

COMMITTEE: Criminal Procedure Reform, Select — favorable, without amendment

VOTE: 3 ayes — Riddle, Carter, Moody
0 nays
2 absent — Herrero, Parker

WITNESSES: For — (*Registered, but did not testify:* Ballard C. Shapleigh, 34th District Attorney Jaime Esparza; Steven Tays, Bexar County Criminal District Attorney's Office)
Against — None

BACKGROUND: Education Code, sec. 25.094, establishes as an offense a student's failure to attend school and provides adjudication procedures. It allows an offense to be prosecuted in a constitutional county court, a justice court, or a municipal court in the county or municipality where the student resides or the school is located.

DIGEST: HB 1021 would allow a complaint against a student for the failure to attend school to be prosecuted in a designated justice court. If there were no designated justice court, the case could be prosecuted in any justice court in the county where the student resided or the school was located. The bill would apply to offenses committed on or after September 1, 2013.

The bill would take effect on September 1, 2013.