

BILL ANALYSIS

Senate Research Center
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H.B. 2869
By: Capelo (Ellis)
Jurisprudence
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Engrossed

DIGEST

Facilitating the apprehension and prosecution of people who provide handguns to juveniles may reduce the number of handguns in the hands of juveniles. H.B. 2869 requires the juvenile, as a condition of probation, to notify the juvenile's supervising juvenile probation officer of the manner in which the juvenile acquired the handgun. Furthermore, this substitute requires the probation officer to notify the appropriate local law enforcement agency upon receiving the information from the child. H.B. 2869 also prohibits use of the information as evidence against the child in a juvenile or criminal proceeding.

PURPOSE

As proposed, H.B. 2869 requires a child to provide certain information to a juvenile probation officer as a condition of probation for certain offenses involving a handgun.

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 Chapter 54, Family Code, by adding Section 54.0406, as follows:

Sec. 54.0406. CHILD PLACED ON PROBATION FOR CONDUCT INVOLVING A HANDGUN. Requires a court, as a condition for probation, to require a child placed on probation under Section 54.04(d), and found responsible for a handgun involved as an element of the offense, to inform the probation officer of the manner in which the handgun was obtained within 30 days from the date the child is placed on probation. Requires the probation officer to notify the appropriate local law enforcement agency upon receiving the information from the child. Prohibits information provided by a child to a juvenile probation officer as required by this section or any information derived from that information from being used as evidence against the child in a juvenile or criminal proceeding.

SECTION 2. Makes application of this Act prospective.

SECTION 3. Effective date: September 1, 1999.

SECTION 4. Emergency clause.