

BILL ANALYSIS

Senate Research Center
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H.B. 2870
By: Capelo (Ellis)
Jurisprudence
5/13/1999
Engrossed

DIGEST

Currently, Texas law requires a juvenile court to report deviations from the progressive sanctions guidelines to the Texas Juvenile Probation Commission board. Under Section 59.014, Family Code, the failure of the court to make a sanction level assignment as required by the guidelines is not a ground for appeal. H.B. 2870 prohibits a child from filing an appeal or a post conviction writ of habeas corpus based on a deviation from the sanction level assignments guidelines by a juvenile court or probation department, or the failure of the court or department to report the deviation.

PURPOSE

As proposed, H.B. 2870 sets forth provisions regulating grounds for appeal or a postconviction writ of habeas corpus brought by a child.

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 Section 59.014, Family Code, as follows:

Sec. 59.014. APPEAL. Prohibits a child from filing an appeal or a post conviction writ of habeas corpus based on a deviation from the sanction level assignment guidelines provided by Chapter 59, or failure by a juvenile court or probation department to report a deviation from the guidelines specified in Section 59.003(e). Makes conforming changes.

SECTION 2. Makes application of this Act prospective.

SECTION 3. Effective date: September 1, 1999.

SECTION 4. Emergency clause.