

BILL ANALYSIS

Senate Research Center
77R14254 JMC-F

C.S.H.B. 822
By: Giddings (West, Royce)
Jurisprudence
5/1/2001
Committee Report (Substituted)

DIGEST AND PURPOSE

Under current Texas law, some teen courts are experiencing an undue and unnecessary burden in the execution of juvenile justice. C.S.H.B. 822 would amend the period a justice or municipal court is authorized to defer proceedings.

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 Articles 45.052(a) and (c), Code of Criminal Procedure, to authorize a justice or municipal court to defer proceedings against a defendant who is under the age of 18 or enrolled full time in an accredited secondary school in a program leading toward a high school diploma for not more than 180 days, rather than for 90 days, if the defendant meets certain conditions. Requires a defendant for whom proceedings are deferred under Subsection (a) to complete the teen court program not later than the 90th day after the date the teen court hearing to determine punishment is held or the last day of the deferral period, whichever date is earlier. Requires the justice or municipal court to dismiss the charge at the time, rather than the conclusion of the deferral period if, the defendant presents satisfactory evidence that the defendant has successfully completed the teen court program.

SECTION 2. Amends Sections 54.032(a) and (c), Family Code, to make conforming and nonsubstantive changes.

SECTION 3. Effective date: September 1, 2001.
Makes application of this Act prospective.

SUMMARY OF COMMITTEE CHANGES

Differs from the original by amending the relating clause.

SECTION 1. Differs from the original by amending previously proposed changes to provisions regarding the completion of a teen court program. Adds provisions regarding the dismissal of the charge under certain conditions.

SECTION 2. Makes conforming changes.

SECTION 3. No change.