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Juvenile Justice

The background of the slide features a composite image. On the left, the Texas state flag is shown waving, with its characteristic blue field containing a white five-pointed star, a white horizontal stripe, and a red vertical stripe. On the right, the ornate, golden dome of the Texas State Capitol is visible, set against a blue sky with light clouds. The dome's interior is also partially visible, showing a patterned ceiling and a central circular opening. A red horizontal banner is superimposed across the middle of the image, containing the title text in white.

Age-Related Changes/CINS

Childish Behavior

Disruption of Classes



New exception created:

- Students in sixth grade or lower cannot be prosecuted for the Class C misdemeanor offense of interfering with classroom instruction or school activities.

Education Code § 37.124

HB 359



Don't Make Me Pull Over

Disruption of Transportation



New exception created:

- Students in sixth grade or lower cannot be prosecuted for the Class C misdemeanor offense for engaging in behavior that interferes with the transportation of children to or from school or school activities.

Education Code § 37.126

HB 359



You Still Go To the Office

Disorderly Conduct

New exception created:

Students in sixth grade or lower cannot be prosecuted for using abusive language, making offensive gesture, creating noxious odor, making unreasonable noise or fighting at school.

No exemption for other forms of Disorderly Conduct.

Penal Code § 42.01

HB 359



Truancy Changes



- SB 1489 by Whitmire
- Effective September 1, 2011



Age

Truancy- Juv. Ct.

- Family Code 51.03(e-1) added
- Child is:
 - 10 and up
 - Under 18
- For Truancy only

Failure to Attend School

- Education Code 25.094 changed
- Now applies to:
 - 12 and up
 - Under 18

Juvenile Court has jurisdiction over all 10 and 11 year olds – Family Code 54.021



Truancy Dispositions

- Court orders may last up to longer of:
 - 180 days or end of school year
- Does not expire at 18
- May be modified until expires
- Case dismissed and/or expunged if complete all requirements and graduate before age 21



Electronic Transmission



- Created offense of Electronic Transmission of Certain Visual Material Depicting Minor
- Penal Code 43.261
 - SB 407 by Watson



Offense – Promotion

- Minor intentionally or knowingly
- sends another minor
- via electronic means
- Visual material depicting any minor engaged in sexual conduct
- If sender produced material or knows another minor did so
- Class A, B or C misdemeanor



Offense – Possession

- Minor intentionally or knowingly
- Possesses in electronic format
- Material depicting another minor engaging in sexual conduct
- If possessor produced material or knows another minor did so
- Class A, B or C misdemeanor



Prostitution- First Offender

- Creates a first offender prostitution prevention program to reduce human trafficking.

Allows for counties or municipalities to create a First Offender Prostitution Prevention Program, and defines program requirements.

- Referred to as “John Schools.”

HB 1994 by Weber



Definition of CINS – 51.03(b)(7)

New CINS Offenses:

- Conduct constituting prostitution (§43.02)
- Electronic Transmission of Certain Visual Material Depicting Minor (§43.261)
- Both have sealing provisions
 - HB 2015 by Thompson
 - SB 407 by Watson
 - Effective: September 1, 2011



Capital Murder

- Amends PC 19.03 – Capital Murder
 - Changes age for killing a child and moves it from 6 to 10.
 - Now can be charged with Capital Murder for causing the death of a child under age 10.

SB 377 by Huffman.



Determinate Sentence Probation

- SB 1208 by Whitmire
- Effective September 1, 2011



Age Change



- Juvenile court retains jurisdiction until age 19 for child on determinate sentence probation.
- Can discharge before 19, but can't transfer until reaches age 19.
 - Family Code 54.04(q)
 - Family Code 54.051



Detention for Child Certified as Adult



- SB1209 by Whitmire
- Effective September 1, 2011



Juvenile Detention Option

- Certified youth under 17 can be held in juvenile detention instead of adult jail if:
 - Juvenile Board adopts policy allowing it* and
 - Juvenile Court orders it
 - Family Code §§51.13, 54.02;
 - Human Resources Code §152.0015

*Policy required – must say whether or NOT allowed



Jail Option

- Judge in adult case can order child detained in county jail
- Has authority to do so even if juvenile court ordered detention in juvenile
- Priority hearing if in juvenile
 - CCP Article 4.19
 - Family Code 54.02



Jail- Sight and Sound

- Sight and sound separation provisions apply if child is:
 - Under 17;
 - Certified as adult; and
 - Held in county jail



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Penal Code/New Offenses

Cockfighting- § 42.105

- Separated from animal cruelty statute:
 - State Jail Felony to cause them to fight or participate in earnings of fight
 - Class A to own or train them, allow use of your property, possess implements
 - Class C for spectators, but Class A 2nd time (defense for spectators 15 y/o or younger)

HB 1043 by Christian, Lucio, Zedler, Rodriguez, Aliseda



Organized Retail Theft

- Amends Theft statutes and creates an enhancement aimed at organized retail crime
 - Increases penalty one level if set off OR deactivate a fire exit alarm or a theft detector OR if you use shielding or electronics to elude theft detection devices.

HB 2482 by Pena, Williams

Penal Code §31.01, 31.03



Venue for Theft

- Allows prosecution in the county where the theft occurred OR the county into which the goods were moved OR through which the goods were moved.

SB 1103 by Carona

CCP Article 13.08



Fraudulent Prescriptions

- New offense- Fraudulently obtaining a controlled substance that is not medically necessary, or an amount that is not medically necessary.
- Cannot use fraud, forgery, deception, subterfuge, or concealment of material fact.

Health & Safety Code § 481.129

SB 158



Protecting Police Officers

- *Adds tire deflation device to definition of “prohibited weapon.”
- *Possession- state jail felony.
- *Use when fleeing police- 3rd degree felony.
- *Cause serious bodily injury while evading cop- 2nd degree felony.

Penal Code §§ 46.05, 38.04



SB 1416



Online ~~Harassment~~ Impersonation

- Expands offense of Online Harassment to include Craigslist and non-social networking websites.
- Prohibits using another person's name or online persona to create a webpage on a commercial social networking site or other Internet site with the intent to harm or defraud.

Penal Code §33.07

HB 1666

craigslist



Escape

- Expands to include anyone lawfully detained by an officer OR lawfully detained in a law enforcement facility OR lawfully detained in a secure correctional facility.

SB 844 by Patrick

Penal Code §38.06



Human Trafficking

- *Creates the offense of “continuous human trafficking” and mirrors the “continuous sexual assault” statute. Applies when done two or more times in 30-day period.*

HB 3000 by Thompson

Penal Code §20A.03



Smuggling

- *Changed the name of unlawful transport of a person (part of the kidnapping statute) to smuggling, which is a more effective label. Increases penalties if done for profit.*

HB 260 by Hilderbran

Penal Code § 20.05



Drug and Alcohol Offenses



Salvia- Still Legal in Texas

Bills to ban possession & use of Salvia Divinorum did not pass.



K2 – Don't Smoke the Incense



K2



Spice

Fire & Ice

Genie

Synthetic chemical compound sprayed on incense that mimics the effects of THC.

Health and Safety Code §§ 481.0131

SB 331



K2 – Don't Smoke the Incense



- Creates Penalty Group 2A in Controlled Substances Act- long list of chemicals.
- Includes many derivations of JWH.
- Covers variants with same chemical structure.

Health and Safety Code § 481.0131

SB 331



Bath Salts- Worse than Cocaine



Complex synthetic substances marketed as bath salts- usually a white or tan powder.

Causes paranoia, hallucinations, psychosis.

Blamed for several suicides.

Health and Safety Code §481.103

HB 2118



Bath Salts- Worse than Cocaine



- Adds list of substances to Penalty Group 2.
- Same penalties for manufacture, delivery, sale and possession as PG 2.
- State jail felony to life in prison.

Health and Safety Code §481.103

HB 2118





Binge Drinking

Immunity for first person to call for help for possible alcohol overdose of minor.

Only if:

- 1) remain on the scene until help arrives; and
- 2) cooperate with medical and law enforcement personnel.

Alcoholic Beverage Code § 106.04

HB 3474



The image features a composite background. On the left, the Texas state flag is shown waving. On the right, the Texas State Capitol dome is visible, with its intricate architectural details and the golden statue on top. The background also includes a faint, large-scale pattern of the dome's interior ceiling. A solid red horizontal bar is positioned across the middle of the image, containing the word "Victims" in white, bold, sans-serif font.

Victims

Victim Notification- Plea

Requires the state to give notice to the victim, guardian or close relative of a deceased victim, the existence and terms of any plea bargain agreement before the plea of guilty or no contest occurs.

SB 1010 by Huffman

CCP Article 26.13



Victim Notification-Release

- Applies to release of a defendant acquitted by reason of insanity in a criminal case.
- *Transfers responsibility of victim notification from TDCJ to the court clerk, after a judge orders the release of an acquitted person on discharge or out patient care.*

HB 2124 by Workman

CCP Article 46C.003



Why Didn't We Do This Before?



Stalking Protective Orders:

- ✓ Victims of Stalking (PC §42.072) can get Protective Order.
- ✓ Must show that stalker is likely to engage in same conduct in future.

CCP Article 6.09

HB 1721



Protecting Child Victims

Sexual Assault Protective Orders:

- Authorizes use of hearsay statement for victim under age 14.
- Applies to continuous sexual assault of a child, indecency with a child, sexual assault, or aggravated sexual assault.

CCP Article 7A.035

HB 1721



Protecting Child Victims-Again

Family Violence Protective Orders:

- Authorizes use of hearsay statement of child victim 12 and under for protective order.
- Allows children to testify outside presence of accused to obtain protective order.

Family Code §84.006

HB 905



Child Testimony

- For witness under the age 17, who is NOT defendant / respondent.
 - 1. Judge must administer an oath that the child can understand.
 - 2. Questions of child must be in a format that the child can understand.
 - 3. Judge must tell child that if he/she doesn't understand the question, let the Judge know and it will be rephrased.

HB 678 by Frazer



Child Testimony

4. Questioning must be at an appropriate time of day, for an appropriate duration, and with appropriate breaks for the child.
5. In order to prevent intimidation and harassment of the child, Judge can order attorney to rephrase question.
6. Child is allowed to have a toy, pillow, etc., while on the stand and to have a friendly adult nearby if necessary to secure the child's testimony.
7. And any other conditions and limits deemed appropriate by the Judge.



Protecting Child Victims- Part III



Family Violence Protective Orders:

- Protective orders in dating relationships expanded to include those under 18.
- Extends jurisdiction to enforce orders from other counties through contempt.



Family Code §82.002, 82.010 SB 819



Protecting New Spouse/Lover

Family Violence Protective Orders:
Amends “dating violence” to allow the new spouse or significant other to be included in protective order against former spouse/boyfriend/girlfriend.



Family Code § 71.0021

SB 116



Protecting the Abducted

Child Taken by Parent

- Child taken by parent without permission can be listed as “missing child” in NCIC registry.
- Taking child out of US is added to Interference with Child Custody offense- state jail felony.
- Affirmative defense if fleeing family violence.

CCP Article 63.001

Penal Code §25.03

HB 3439



Fighting Child Porn

Provides funding for Internet Crimes Against Children task force at OAG to investigate and prosecute internet-based sexual exploitation of minors. Expands subpoena power.

Government Code § 422.001-.003

HB 3746



The background of the image is a composite. On the left, the Texas state flag is shown waving. On the right, the exterior of the Texas State Capitol dome is visible, featuring classical architectural details like columns and arches. The top of the image shows the interior of the dome, with a large circular skylight and a statue on a pedestal. A red horizontal band is superimposed over the center of the image, containing the title text in white.

Education and Bullying



School Notice- HB 1907

- Notice must provide “all pertinent details” of offense, including details of assault and whether weapon was involved.
- Must provide notification of any arrest, referral, hearing, or school transfer within 24 hours, or on or before the next school day, whichever is earlier.

CCP Article 15.27

HB 1907



School Notification- HB 1907

- Superintendent must immediately notify all instructional and support personnel.
- Written notice must follow within 7 days, and include the date and time of oral notification, and name of person who received it.

CCP Article 15.27



HB 1907



Corporal Punishment

- School district can spank students only if there is a policy in place outlining when and how this will be done.
- Parent can send written note each year to opt out.
- Parent can revoke permission at any time.



Education Code § 37.0011

HB 359



DAEP and Expulsion Expanded

- Adds Aggravated Robbery to the list of offenses that require mandatory removal to DAEP or discretionary expulsion.
- Robbery can be off-campus or not school-related.
- Applies to deferred and adjudicated cases.

HB 968 by Strama



Discretionary Expulsion

- Changes expulsion criteria for serious or persistent misconduct that violates a the district's student code of conduct while in a DAEP
- Can't expel for “persistent misbehavior”
- Can still expel for documented “serious misbehavior”

HB 968 by Strama

Education Code 37.007 (c)



Discretionary Expulsion- Cont.

- Defines “serious misbehavior” to mean:
 - Deliberate violent behavior that poses a direct threat to the health and safety of others
 - Extortion (gaining of money or property by force of threat);
 - Or coercion/threat

HB 668 by Strama



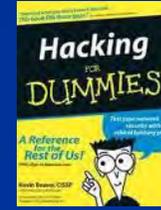
Discretionary Expulsion- Cont.

- Defines “serious misbehavior” to mean:
 - Public lewdness (PC 21.07)
 - Indecent exposure (PC 21.08)
 - Criminal mischief (PC 28.03)
 - Personal Hazing (TEC 37.152)
 - Harassment (PC 42.07 (a)(1)) of a student or employee

HB 668 by Strama



Expulsion for Hacking



HB 1224



Discretionary expulsion for breach of computer security:

- 1) altering, damaging or deleting district property or information; or
- 2) committing a breach of a computer or computer system.

Education Code §37.007(b)

HB 1224



DAEP Notice to Parents

Requires a school district to provide the parents of a student placed in a DAEP **written notice** of the district's obligation to provide a student the opportunity to complete coursework required for graduation before the next school year.

SB 49 by Zaffirini





Bullying in Schools



Prohibits written or verbal expression, through electronic means, or physical conduct that:

- Harms student, damages property, or places in fear of harm, or
- Creates intimidating, threatening, or abusive environment.

Education Code § 37.0832

HB 1942



More Bullying in Schools



Victim or bully can be transferred:

- to another classroom at same campus, or
- to another campus in the same district, in consultation with parent.

Must go through ARD process if transfer involves a student in special education.

Education Code § 25.0342

HB 1942



Teen Suicide Prevention

Resources

DSHS and TEA must develop mental health intervention and suicide prevention curriculum and resource lists for use in elementary, middle and high schools.

Health & Safety Code §163.325 HB 1386



No Sex with Students

Improper Relationship - Educator/Student

- Amends offense to prohibit engaging in sex with a student enrolled in the same school district, or with a student participant in a school activity.
- 2nd degree felony.

Education Code § 21.003

Penal Code § 21.12

HB 1610



No Computer Sex with Students

Online Solicitation of a Minor

- Prohibits communicating in a sexually explicit manner or distributing explicit material to someone whom the teacher knows is enrolled or participating in an educational activity in the school district in which the teacher is employed.

Education Code § 33.021

Penal Code § 33.021

HB 1610



SRO Restraints

Restraints by Law Enforcement



District must report all restraints on school property or activities by school peace officers to TEA.

Follow all TEA guidelines about restraint of students with disabilities.

Education Code § 37.0021

HB 359



More Than One Way To Do It

Dropout Recovery-
expands a successful
dropout recovery
program used by public
junior colleges for
students up to age 26.

Education Code § 29.401
SB 975

Online GED Testing-
allows on-line GED
testing for persons over
18.

Education Code 7.111
SB 1094



Succeed in the Real World

SB 1788- Planning done for special education students for life outside the public school system must begin no later than age 14.

Education Code § 29.0111



Help Older Foster Children

- HB 826- Facilitates enrollment in school (all ages).
- HB 452- Housing b/t semesters for college.
- HB 2170- Children 16 and over get credit report.
- HB 3234- Requires DFPS to process records quickly so recently discharged youth can access information.
- SB 218- Driver's license fees waived.



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Juvenile Records

Key Legislation Affecting Juvenile Records

- HB 961 by Turner
 - *Effective 6/17/2011*
- SB 407 by Watson
 - *Effective 9/1/2011*
- SB 1106 by Harris
 - *Effective 6/17/2011 (Immediately)*
- SB 1241 by West
 - *Effective 5/16/2011*
- SB 1489 by Whitmire
 - *Effective 9/1/2011*
- SB 2015 by Thompson
 - *Effective 9/1/2011*



Juvenile Justice Code & Confidentiality

- **TFC 58.005** – Makes juvenile social, rehabilitation and treatment records confidential w/ access exceptions;
- **TFC 58.007** – Makes juvenile physical files and records confidential w/ access exceptions. Motor vehicle, justice and municipal court and sex offender registration records considered public;
- **TFC 58.106** – Makes JJIS computerized database juvenile records confidential w/ access exceptions; and
- **TFC 58.307** – Makes Local JIS records confidential, but allows disclosure to partner agencies.





HB 961 by Turner



HB 961 by Turner

Family Code

- Section 58.003(c)

SEALING

- Age for sealing felony adjudication records dropped from 21 to 19
- No other criteria has been changed



HB 961 by Turner

Family Code

- Sections 58.203

Conforming Provisions

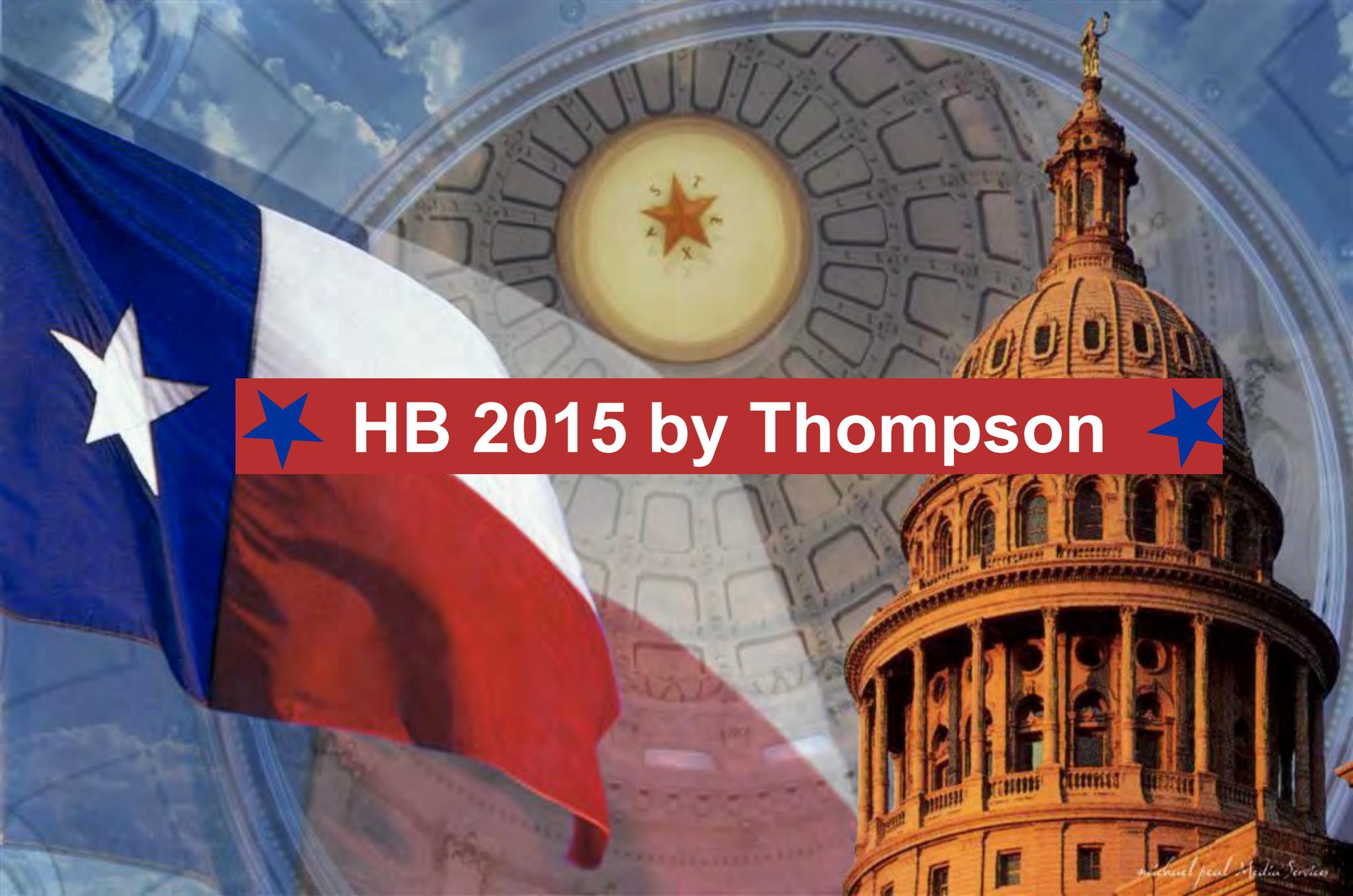
Family Code

- Sections 58.208(3); 58.209

RESTRICTED ACCESS

- Age for restricted access changed from 21 to 17;
- DPS no longer required to certify no conviction/def. adj. after turning 17;
- Language requiring no subsequent criminal conduct has been removed.



The image features a composite background. On the left, the Texas state flag is shown waving. On the right, the Texas State Capitol dome is visible, with a golden star in the center of its upper section. A red banner with white text and blue stars is overlaid across the middle.

★ HB 2015 by Thompson ★

HB 2015 by Thompson

Family Code

- Section 58.003(c-3)



SEALING: Child Prostitution

- Records eligible for SEALING include a:
 - Child found to have **engaged** in prostitution (CINS) or
 - Taken **into custody** to determine if engaged in prostitution (CINS)



HB 2015 by Thompson

SEALING ORDERS

- Mandatory, (*i.e.*, “*shall order*”)
- Upon Court’s Own Motion
- Without a Hearing
- Applies to prostitution-related records only

Family Code

- Section 58.003(c-3)

Timing

- After final **discharge** if no adjudication;
- After **last official action** if no adjudication
- Immediately upon finding of **not true.**



SB 2015 by Thompson

- A prosecutor or JPD may maintain a separate record of:
 - *Child's Name*
 - *DOB*
 - *Date Records Sealed*
 - *[under Sub. c-3]*
- On 17th birthday, must send to court to be added to sealed records

Family Code

- Section 58.003 (c-4)





SB 407 by Watson



SB 407 by Watson*

ELIGIBLE FOR SEALING- Sexting cases

- Child found to have engaged in **CINS/prostitution** or taken into custody for **sexting** violation.
- After completion of **educational program***



Family Code

- Sections 58.003(c-3) and (c-4)

Penal Code

- Section 43.261



SB 407 by Watson



SEXTING

- **Expunctions.** A minor convicted of a sexting offense only once, and not found to have engaged in a CINS based on sexting, could apply for expunction on or after the 17th birthday.
- **Sealing.** Juvenile court sealing permitted for CINS/sexting upon completion of an education program. Court can order immediate sealing without a hearing.



The background of the image features a composite of two scenes. On the left, the Texas state flag is shown waving, with its characteristic blue field containing a white five-pointed star and a red and white horizontal stripe. On the right, the Texas State Capitol dome is visible, showing its ornate architecture and the golden statue of the Lone Star on top. The dome's interior is also partially visible, featuring a large circular window with a five-pointed star in the center, surrounded by a decorative pattern.

★ Municipal Court Records ★
Harmonizing SB 1241, SB 1106
and SB 1489

Senate Bills 1106, 1241 and 1489

Confidentiality and Justice/Municipal Courts

- Creates an exception to confidentiality
- Allows JJIS to be shared with county, justice, or municipal courts
- Permits all records shared under confidentiality exceptions to remain confidential
- Recipient may disclose only as allowed under Title 3.



Conflicting Language

“to a county, justice, or municipal court exercising jurisdiction over a juvenile under Section 54.021.”

SB 1241 by West

“to a county, justice, or municipal court exercising jurisdiction over a juvenile.”

SB 1106 by Harris

Same as SB 1241 plus:

“(a-1) Information disseminated under Subsection (a) remains confidential after dissemination and may be disclosed by the recipient only as provided by this title.”

SB 1489 by Whitmire



Code Construction Act

Govt. Code 311.025

- If multiple amendments to same statute, harmonize if possible
- If irreconcilable, latest enacted prevails
- Date of enactment is date of last vote



Enactment Dates

- SB 1241: May 16, 2011
- SB 1106: May 23, 2011
- SB 1489: May 28, 2011





SB 315 by Carona



Gang Database

- Clarifies definitions of “law enforcement agency” and “juvenile justice agency”.
- Juvenile probation departments in cities of over 50,000 or counties of over 100,000 shall compile and maintain gang database.
- Encourages sharing information about criminal street gangs to prevent crime.

SB 315

Chapter 61, CCP





SB 1106 by Harris



SB 1106 by Harris

Interagency Sharing of Records

- Requires school districts to share educational records to a juvenile service provider.
- Allows juvenile service providers to exchange information relating to multi-system youth.
- Makes JJIS information available to justice and municipal courts in attendance related matters.
- Amends EC Sec. 37.084, FC Sec. 58.0051 and adds FC Sec. 58.0052



SB 1106 by Harris

Educational Records

Family Code

– Section 58.0051(a)(1)

- Includes information relating to a student's:
 - Identity
 - Special Needs
 - Educational Accommodations
 - Assessment/Diagnostic Test
 - Attendance Records
 - Medical Records
 - Psychological Diagnoses



SB 1106 by Harris

- Schools must share confidential educational records upon request of a juvenile service provider (JSP) —

Education Records

Family Code

- Section 58.005(b)

- **If a student has been:**
 - Taken into custody under 52.01 or
 - Referred to juvenile court for delinquent conduct or CINS



SB 1106 by Harris

Juvenile Service Provider

Family Code

- Section 58.0051(a)(2)

A governmental entity that provides:

- Juvenile justice or prevention services
- Medical services
- Education services
- Other support services



SB 1106 by Harris

Juvenile Service Provider

Family Code

– Section 58.0051(a)(2)

- Texas Juvenile Probation Commission;
- Texas Youth Commission;
- Juvenile Probation Departments;
- Health and Human Service Agencies
- Health and Human Services Commission
- Texas Education Agency



SB 1106 by Harris

Juvenile Service Provider Family Code

– Section 58.0051(a)(2)

- Independent School Districts
- JJAEPs
- Charter Schools (Public)
- Local MH/MR Authority
- Courts w/ Juvenile Jurisdiction
- District and County Attorney's Office
- Children's Advocacy Center



SB 1106 by Harris

Student

Family Code

- 51.0051(a)(3)



A person who is:

- Registered or in attendance at a primary or secondary educational institution; and
- Younger than **18 years** of age.



SB 1106 by Harris

- Schools may **not destroy** a record of shared information before **SEVEN (7)** years from the date of disclosure.
- School must **comply even if** other **state law** makes the records confidential.
Subsection (d)

Records Retention

Family Code

- **Section 58.051(c)**



SB 1106 by Harris

A JSP that receives confidential information shall:

- Certify in writing that the information will not be disclosed to a third party **other than another JSP.**

No Subsequent Disclosures

Family Code

- **Sec. 58.0051(e)**



SB 1106 by Harris

- Certify in writing that confidential information that information will be used only to:

Authorized Uses

Family Code

- Sec. 58.0051(e)

- **Verify identity** of a student in the juvenile justice system;

- **Provide** delinquency prevention or treatment **services** to the student.



SB 1106 by Harris

- **MOU**

- Family Code

- Section 58.0051(f)



- JSP may enter into a MOU with another JSP to share information.

- In accordance with internal protocols;

- JSP must comply with statute even if no internal protocol or MOU is in place; *unless*

- Compliance violates federal law.



SB 1106 by Harris

- Confidential status is unaffected by new statute.
 - Info may be released to a third party by court order or other law;
 - **Personally identifiable** info disclosed to a JSP is not subject to a third party under the Public Information Act.

Confidentiality

- Family Code
Section 58.0051(g)



SB 1106 by Harris

- **Fees**

Family Code

- Section 58.051(h)

- Requesting JSP shall pay a FEE to the disclosing JSP;
- Fees based on charges under the Public Information Act; *unless*



SB 1106 by Harris

- **Fees Allowed *Unless* Family Code**

- **Section 58.051(h)**



A MOU between the requesting and disclosing provider:

- Prohibits the payment of the fee;
 - Permits a fee waiver; *or*
 - Provides an alternative method of fee assessment.
- Disclosing provider waives fee;
 - Disclosure is required under other law



SB 1106 by Harris

Multi-System Youth (MSY)

Family Code

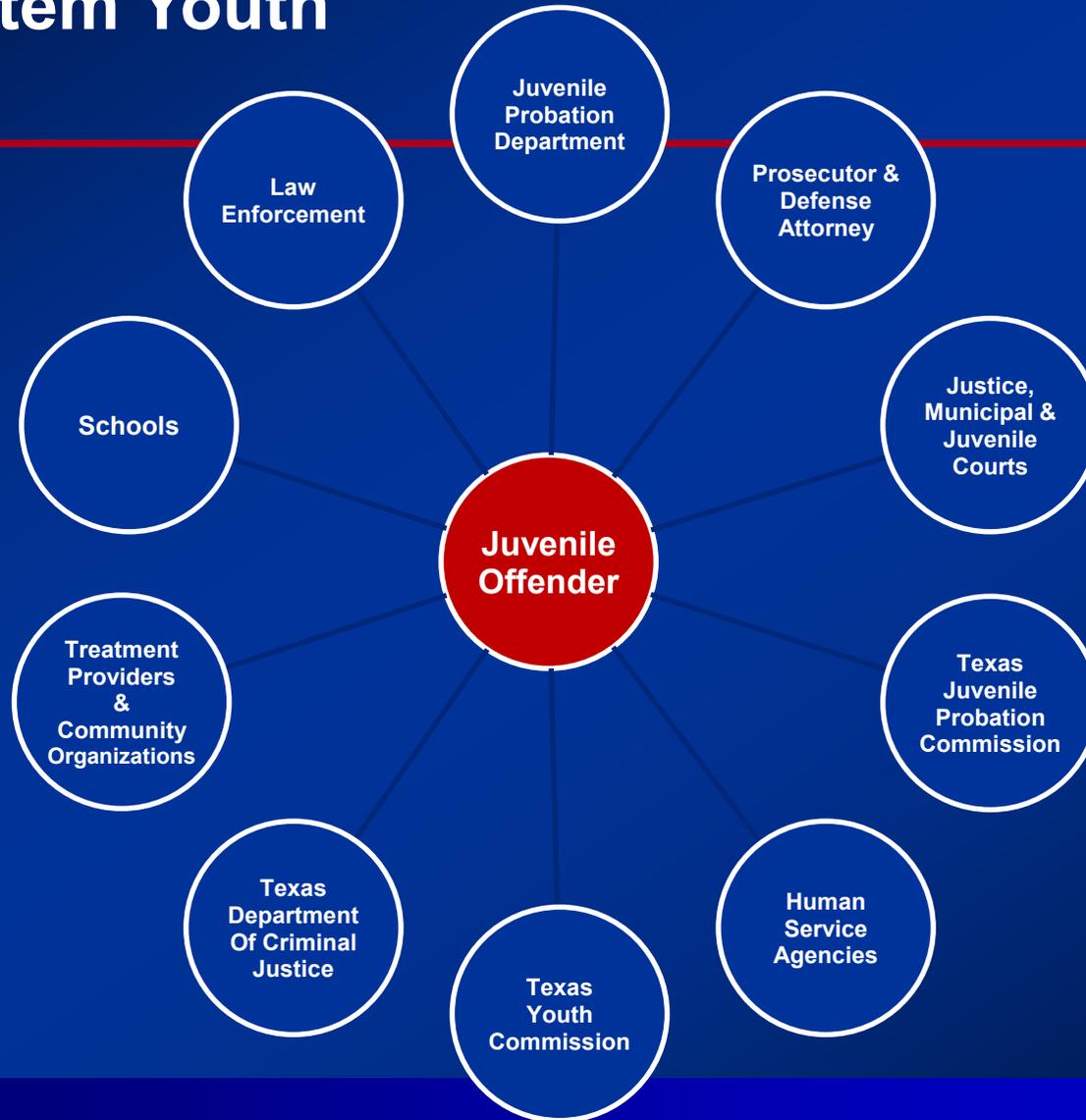
- Section 58.0052(a)(2)

Defined as a person who:

- Is under **19 years** of age; and
- Has received services from **two (2)** or more JSPs.



Multi-System Youth



SB 1106 by Harris

Upon request of JSP, another JSP must disclose:

- Personal Health Information (PHI)
- History of governmental services,
including:
 - Identity
 - Medical Records
 - Special Needs
 - Program Placements
 - Psychological Diagnoses

MSY Personal Health Information Disclosures

Family Code

- Section 58.0052(b)



SB 1106 by Harris

Limited Disclosure Purposes

Personally identifiable information may be **disclosed only** for:

- Identifying multi-system youth
- Coordinating and monitoring care
- Improving the quality of juvenile services provided

Family Code

- **Section 58.0052(c)**



SB 1106 by Harris

MOU and MSYs

Family Code

- Section 58.0052(e-h)



- Identical provisions regarding:

- Internal Protocols (Sub. e)
- Memorandums of Understanding (Subs. e & h)
- Confidential Status of Records (Sub. f)
- Third Party Disclosures (Sub. g)
- Fees (Sub. h)



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Miscellaneous

Leave It In the Car



Employer cannot prohibit employees from transporting or storing authorized weapons in cars parked on premises. Employer can still prohibit weapon in building.

Labor Code § 52.061

SB 321



Everyone Should Agree



DISRUPTING FUNERAL SERVICES

Time frame before or after a funeral or burial service during which persons cannot picket (within 1,000 feet) expanded from 1 to 3 hours.

Penal Code §42.055(b)

HB 718



Encouraging Respect for Others

Person-First Respectful Language

- Encourages use of “intellectual disability” and discourages use of other terms.
- Requires state agencies (HHSC, TEA) and new laws to use person-first language: person with a disability.

Government Code § 392.001

HB 1481



Protecting Family Pets

Family Violence Protective Order-

Can include provision to prevent:

1. removing pet; or
2. harming, threatening or interfering with the care, custody or control of a pet.

Family Code § 85.021



SB 279



No More Flaming Litter



- New offense to discard cigarettes, cigars, or burning litter on open land or roadway that causes a fire.
- 30 days or up to \$500.

Health & Safety Code § 365.012

SB 1043



More Great Ideas



-Delinquent child support deducted from lottery winnings before distribution of money. SB 626



-Harvesting timber without permission now a felony. HB 613



-Altering length or weight of fish during tournament a Class A misd. HB 1806



-May capture reptile or amphibian with bare hands w/ stamp. HB 1788



Where to Get More Information

Special Legislative Issue, Juvenile Law Section
Newsletter, August 2011.

Juvenile Law Section, State Bar of Texas
www.juvenilelaw.org

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