

AN ACT

relating to the determination of the population of a county required to develop a juvenile justice alternative education program.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 37.011, Education Code, is amended by adding Subsection (a-1) to read as follows:

(a-1) For purposes of this section and Section 37.010(a), a county with a population greater than 125,000 is considered to be a county with a population of 125,000 or less if:

(1) the county had a population of 125,000 or less according to the 2000 federal census; and

(2) the juvenile board of the county enters into, with the approval of the Texas Juvenile Probation Commission, a memorandum of understanding with each school district within the county that:

(A) outlines the responsibilities of the board and school districts in minimizing the number of students expelled without receiving alternative educational services; and

(B) includes the coordination procedures required by Section 37.013.

SECTION 2. A juvenile court that has placed a child on juvenile probation or deferred prosecution under Title 3, Family Code, and required as a condition of probation or deferred

1 prosecution, as described by Section 37.011(b), Education Code,  
2 that the child attend a juvenile justice alternative education  
3 program in a county that is not required to operate a juvenile  
4 justice alternative education program under Section 37.011,  
5 Education Code, as amended by this Act, shall modify the conditions  
6 of probation or deferred prosecution if the county discontinues  
7 operation of the juvenile justice alternative education program.

8 SECTION 3. This Act applies beginning with the 2009-2010  
9 school year.

10 SECTION 4. This Act takes effect immediately if it receives  
11 a vote of two-thirds of all the members elected to each house, as  
12 provided by Section 39, Article III, Texas Constitution. If this  
13 Act does not receive the vote necessary for immediate effect, this  
14 Act takes effect September 1, 2009.

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President of the Senate

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Speaker of the House

I certify that H.B. No. 1425 was passed by the House on May 7, 2009, by the following vote: Yeas 146, Nays 0, 1 present, not voting.

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Chief Clerk of the House

I certify that H.B. No. 1425 was passed by the Senate on May 22, 2009, by the following vote: Yeas 30, Nays 0.

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Secretary of the Senate

APPROVED: \_\_\_\_\_

Date

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Governor