

Amend SB 1630 (house committee printing) as follows:

On page ____, line ____, insert the following new SECTIONS and renumber remaining sections as appropriate:

SECTION _____. Section 51.02(2), Family Code, is amended to read as follows:

(2) "Child" means a person who is:

(A) ten years of age or older and under 18 [~~17~~] years of age; or

(B) eighteen [~~seventeen~~] years of age or older and under 20 [~~18~~] years of age who is:

(1) alleged or found to have engaged in delinquent conduct or conduct indicating a need for supervision as a result of acts committed before becoming 18 [~~17~~] years of age; and

(ii) under the jurisdiction of a juvenile court.

SECTION _____. Section 8.02, Penal Code, is amended by amending Subsection (b) and adding Subsections (b-1) and (b-2) to read as follows:

(b) Unless the juvenile court waives jurisdiction under Section 54.02, Family Code, and certifies the individual for criminal prosecution or the juvenile court has previously waived jurisdiction under that section and certified the individual for criminal prosecution, a person may not be prosecuted for or convicted of any offense committed before reaching 18 [~~17~~] years of age except an offense described by Subsections (a)(1)-(5).

(b-1) Notwithstanding any other provision of law, any criminal offense that requires as an element of the offense that the person not be a child applies only to persons 18 years of age or older.

(b-2) Notwithstanding any other provision of law, once invoked, a juvenile court retains jurisdiction over a child until:

(1) the child's 19th birthday; or

(2) the child's 20th birthday if the child receives a determinate sentence.

SECTION _____. On page 7, line 21 strike "by Section 54.04(d), Family Code" and substitute "by Sections 51.02(2) and 54.04(d), Family Code, and Sections 8.07(b), (b-1) and (b-2), Penal

Code".