

1-1 By: Wu (Senate Sponsor - Miles) H.B. No. 678
 1-2 (In the Senate - Received from the House April 10, 2017;
 1-3 April 19, 2017, read first time and referred to Committee on
 1-4 Criminal Justice; May 17, 2017, reported favorably by the
 1-5 following vote: Yeas 8, Nays 0; May 17, 2017, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7				
1-8	X			
1-9	X			
1-10	X			
1-11	X			
1-12	X			
1-13	X			
1-14	X			
1-15			X	
1-16	X			

1-17 A BILL TO BE ENTITLED
 1-18 AN ACT

1-19 relating to the procedure for the entering of a plea or a
 1-20 stipulation of evidence by a child subject to a determinate
 1-21 sentence.

1-22 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-23 SECTION 1. Section 54.10, Family Code, is amended by
 1-24 amending Subsection (e) and adding Subsection (f) to read as
 1-25 follows:

1-26 (e) Except as provided by Subsection (f), the [The] hearings
 1-27 provided by Sections 54.03, 54.04, and 54.05 may not be held before
 1-28 a referee if the grand jury has approved of the petition and the
 1-29 child is subject to a determinate sentence.

1-30 (f) When the state and a child who is subject to a
 1-31 determinate sentence agree to the disposition of the case, wholly
 1-32 or partly, a referee or associate judge may hold a hearing for the
 1-33 purpose of allowing the child to enter a plea or stipulation of
 1-34 evidence. After the hearing under this subsection, the referee or
 1-35 associate judge shall transmit the referee's or associate judge's
 1-36 written findings and recommendations regarding the plea or
 1-37 stipulation of evidence to the juvenile court judge for
 1-38 consideration. The juvenile court judge may accept or reject the
 1-39 plea or stipulation of evidence in accordance with Section
 1-40 54.03(j).

1-41 SECTION 2. The changes in law made by this Act apply only to
 1-42 conduct that occurs on or after the effective date of this Act.
 1-43 Conduct that occurs before the effective date of this Act is
 1-44 governed by the law in effect on the date the conduct occurred, and
 1-45 the former law is continued in effect for that purpose. For
 1-46 purposes of this section, conduct occurs before the effective date
 1-47 of this Act if any element of the conduct occurs before that date.

1-48 SECTION 3. This Act takes effect September 1, 2017.

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