

AN ACT

relating to the procedure for the entering of a plea or a stipulation of evidence by a child subject to a determinate sentence.

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

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

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

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

SECTION 2. The changes in law made by this Act apply only to

1 conduct that occurs on or after the effective date of this Act.
2 Conduct that occurs before the effective date of this Act is
3 governed by the law in effect on the date the conduct occurred, and
4 the former law is continued in effect for that purpose. For
5 purposes of this section, conduct occurs before the effective date
6 of this Act if any element of the conduct occurs before that date.

7 SECTION 3. This Act takes effect September 1, 2017.

President of the Senate

Speaker of the House

I certify that H.B. No. 678 was passed by the House on April 6, 2017, by the following vote: Yeas 144, Nays 0, 1 present, not voting.

Chief Clerk of the House

I certify that H.B. No. 678 was passed by the Senate on May 19, 2017, by the following vote: Yeas 31, Nays 0.

Secretary of the Senate

APPROVED: _____

Date

Governor