Chapter 1354

S.B. No. 518

1 AN ACT 2 relating to providing access to certain information relating to the discretionary transfer of a child from a juvenile court to a 3 4 criminal court. 5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS: 6 SECTION 1. Subsection (e), Section 54.02, Family Code, is 7 amended to read as follows: At the transfer hearing the court may consider written 8

9 reports from probation officers, professional court employees, or 10 professional consultants in addition to the testimony of witnesses. 11 At least five days [one day] prior to the transfer hearing, the court shall provide the attorney for the child and the prosecuting 12 13 attorney with access to all written matter to be considered by the 14 court in making the transfer decision. The court may order counsel 15 not to reveal items to the child or the child's [his] parent, 16 guardian, or guardian ad litem if such disclosure would materially 17 harm the treatment and rehabilitation of the child or would 18 substantially decrease the likelihood of receiving information 19 from the same or similar sources in the future.

SECTION 2. Subsection (e), Section 54.02, Family Code, as amended by this Act, applies to a transfer hearing commenced under Section 54.02, Family Code, on or after the effective date of this Act. A transfer hearing commenced before the effective date of this Act is governed by the law in effect on the date the hearing was

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S.B. No. 518

1	commenced,	and	the	former	law	is	continued	in	effect	for	that

2 purpose.

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SECTION 3. This Act takes effect September 1, 2009.\_\_\_\_

Brasidant of the Sanata

President of the Senate

I hereby certify that S.B./No./518 passed the Senate on April 2, 2009, by the following vote: Yeas 31, Nays 0.\_\_\_\_\_

Secretary of the Senate

Speaker of the House

I hereby certify that S.B. No. 518 passed the House on May 20, 2009, by the following vote: Yeas 140, Nays 0, one present not voting.

Chief Clerk of the House

Approved:

19 J. 20 19

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FILED IN THE OFFICE OF THE SECRETARY OF STATE

JUN 19 2009

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