

84R9857 MK-F

By: Miller of Fort Bend

H.B. No. 2395

A BILL TO BE ENTITLED

AN ACT

relating to the testing of a juvenile for a sexually transmitted disease or human immunodeficiency virus (HIV) following the filing of a petition and a finding of probable cause that the juvenile has engaged in certain delinquent conduct.

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

SECTION 1. Section 54.033(a), Family Code, is amended to read as follows:

(a) If a petition is filed alleging that a [A] child has
~~[found at the conclusion of an adjudication hearing under Section 54.03 of this code to have]~~ engaged in delinquent conduct that included a violation of Sections 21.11(a)(1), 22.011, or 22.021, Penal Code, and the juvenile court finds probable cause that the child engaged in the conduct, the child shall undergo a medical procedure or test at the direction of the juvenile court designed to show or help show whether the child has a sexually transmitted disease, acquired immune deficiency syndrome (AIDS), human immunodeficiency virus (HIV) infection, antibodies to HIV, or infection with any other probable causative agent of AIDS. The

court may direct the child to undergo the procedure or test on the court's own motion or on the request of the victim of the delinquent conduct.

SECTION 2. The changes in law made by this Act apply only to a petition filed or a finding of probable cause made by a juvenile court on or after the effective date of this Act. A petition filed or finding of probable cause by a juvenile court that occurs before the effective date of this Act is governed by the law in effect when the petition was filed or the finding of probable cause was made, and the former law is continued in effect for that purpose.

SECTION 3. This Act takes effect September 1, 2015.