

A BILL TO BE ENTITLED
THE LOGAN PERKINS ACT

Relating to the prosecution of juveniles aged fifteen and older for capital offenses.

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

SECTION 1. Chapter 8, Penal Code, is amended by adding Section 8.09 as follows:

Sec. 8.09. MANDATORY ADULT PROSECUTION FOR
CAPITAL OFFENSES.

(a) Notwithstanding any other provision of law, a person who is fifteen (15) years of age or older at the time of committing an offense classified as a capital felony under Section 19.03, Penal Code, shall be prosecuted as an adult.

(b) The provisions of the Juvenile Justice Code, Family Code, or any other law that would otherwise provide for the adjudication of such offenses in juvenile court shall not apply to offenses covered under this section.

(c) A person charged under this section shall be subject to the same legal procedures, sentencing guidelines, and penalties applicable to adult offenders, except where prohibited by federal law or United States Supreme Court precedent.

SECTION 2. Article 4.18, Code of Criminal Procedure, is amended to read as follows:

Art. 4.18. JURISDICTION OVER JUVENILE DEFENDANTS IN
CAPITAL CASES.

(a) A criminal court shall have exclusive original jurisdiction over any individual charged under Section 8.09, Penal Code.

(b) The prosecuting attorney shall file charges in the appropriate district court and may not seek certification of the individual as a juvenile under Section 54.02, Family Code.

SECTION 3. Section 51.02(2), Family Code, is amended to read as follows:

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

(a) 10 years of age or older and under 18 years of age,
who

(i) has not committed a capital offense; OR

(b) 10 years of age or older and under 15 years of age,
who

(i) has committed a capital offense; OR

(c) 18 years of age or older and under 20 years of age
who is:

(i) 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 years of age, but said delinquent conduct did not include committing one or more capital offenses; and

(ii) under the jurisdiction of a juvenile court.

SECTION 4. Section 54.02, Family Code, is amended by adding Subsection (m) as follows:

(d) This section does not apply to a child alleged to have engaged in delinquent conduct constituting a capital felony under Section 19.03, Penal Code. Such individuals shall be prosecuted under Section 8.09, Penal Code.

SECTION 5. This Act takes effect September 1, 2025.