

Montgomery City Council
AGENDA REPORT

Meeting Date: December 12, 2023	Budgeted Amount: N/A
Department: Police Department	Prepared By: Anthony Solomon

Subject

Consideration and possible action on: AN ORDINANCE OF THE CITY OF MONTGOMERY, TEXAS, REPEALING CHAPTER 62 (OFFENSES), ARTICLE II (MINORS), DIVISION 2 (JUVENILE CURFEW), SECTIONS 62-40 THROUGH 62-45 OF THE CITY OF MONTGOMERY CODE OF ORDINANCES IN RESPONSE TO HOUSE BILL 1819, EFFECTIVE SEPTEMBER 1, 2023; PROVIDING FOR REPEALING, SAVINGS AND SEVERABILITY CLAUSES; AND PROVIDING FOR AN EFFECTIVE DATE OF THIS ORDINANCE

Recommendation

Approve the Ordinance repealing Chapter 62 (Offenses), Article II (Minors), Division 2 (Juvenile Curfew), Section 62-40 through Section 62-45.

Discussion

On September 1, 2023, House Bill 1819 became effective. This enacted section 370.007 of the Texas Local Government Code (TLGC), which precludes political subdivisions of the State, such as the City of Montgomery from adopting or enforcing ordinances imposing curfews to regulate the movements or actions of any person under 18 years of age.

In order to align with the newly enacted section of the TLGC, City Council must repeal Chapter 62 (Offenses), Article II (Minors), Division 2 (Juvenile Curfew), Section 62-40 through Section 62-45 in their entirety.

Approved By

Chief of Police	Anthony Solomon	Date: 12/7/2023