



It's real.

MEMORANDUM

To: City of Seguin Mayor and Council
From: Andy Quittner, Interim City Attorney
Date: August 31, 2023
Re: Ordinance repealing juvenile curfew

A handwritten signature in cursive script, appearing to read "Andy Quittner", written in dark ink.

During the 2023 legislative session the legislature passed HB 1819 that prohibits political subdivisions, except during certain declared emergencies, from having or enforcing regulations that amount to a curfew for persons younger than 18 years of age. Seguin's curfew ordinance is at least 20 years old; however under the new law the ordinance is no longer enforceable.

The Ordinance has been useful in allowing police officers to encounter younger persons with the aim to send them back to school, where they should be when they were encountered. The ordinance also allowed for probable cause to stop a child and interdict before conduct may turn criminal.

In Seguin's experience the curfew ordinance has been a useful quality of life tool – that rarely resulted in citation and court interdiction. Unfortunately the Legislature has taken this tool out of our toolbelt.

City staff recommends approval.