

BILL ANALYSIS

Senate Research Center

H.B. 1150
By: Greenberg (Shapiro)
Criminal Justice
5-13-97
Committee Report (Amended)

DIGEST

Currently, law enforcement agencies are required to notify school personnel of the arrest or detention of a student for certain offenses and to report any subsequent disposition of that arrest or detention. The Texas Education Agency reported over 50,000 incidents of assault against students and teachers during the 1995-1996 academic year. In order to ensure school safety, school districts need to be informed of dangerous and threatening crimes committed by students. This bill will provide regulations regarding the notification of school personnel.

PURPOSE

As proposed, H.B. 1150 provides regulations regarding the notification of school personnel.

RULEMAKING AUTHORITY

This bill does not grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Subsections (a)-(h), Article 15.27, Code of Criminal Procedure, to require a law enforcement agency (agency) that arrests or takes into custody an individual who the agency believes, rather than knows or believes, is enrolled as a student in a public primary or secondary school, for certain offenses, to attempt to ascertain whether the person is so enrolled. Requires an agency, if the agency cannot ascertain whether the individual is enrolled as a student, to orally notify the superintendent or a person designated by the superintendent in the school district in which the student is believed to be enrolled of that arrest or detention within a certain time period. Requires the superintendent to promptly notify all instructional and support personnel who have regular contact with the student. Requires the new school officials to promptly notify all instructional and support personnel who have regular contact with the student. Makes conforming changes.

SECTION 2. Amends Chapter 37A, Education Code, by adding Section 37.0031, as follows:

Sec. 37.0031. LIMITING ASSIGNMENT OF CERTAIN STUDENTS TO CLASS OF VICTIM. Sets forth regulations regarding limiting the assignment of certain students to the class of a victim.

SECTION 3. Amends Section 37.003(a), Education Code, to make a conforming change.

SECTION 4. Provides that the change in law made by this Act applies beginning with the 1997-1998 school year.

SECTION 5. Emergency clause.
Effective date: upon passage.

SUMMARY OF COMMITTEE CHANGES

Amendment 1.

On page 1, lines 6 and 7, strike SECTION 1, and substitute Subsections (a)-(d), Article

15.27, Code of Criminal Procedure, as amended.

Amendment 2.

(1) Adds Section 37.0031, Education Code, regarding limiting the assignment of certain students to class of victim.

(2) Adds Section 37.003(a), Education Code, as amended.