

## **BILL ANALYSIS**

Senate Research Center

S.B. 1525  
By: Van de Putte  
Education  
4/10/2001  
As Filed

### **DIGEST AND PURPOSE**

Under current law, a person commits an offense if the person, on or near school property, intentionally disrupts the conduct of classes or other school activities. Because the law is phrased in the plural, prosecution requires showing that more than one class or school activity was disrupted. Another school disruption occurs is when students are prevented or hindered from entering or leaving school. Current law creates an offense for preventing or attempting to prevent a student from attending a class or other school activity, but there is no similar provision for preventing or hindering a student from leaving a class or other school activity. As proposed, S.B. 1525 changes the law from plural to singular in order to allow prosecution for disruption of one class or school activity. The bill also expands the law to create an offense for preventing or hindering students from entering or exiting school before or after school hours. The bill clarifies that a school activity includes an activity held before or after class, and it enhances the penalty from a Class C misdemeanor to a Class B misdemeanor for repeat violators.

### **RULEMAKING AUTHORITY**

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

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Sections 37.124(a) and (b), Education Code, to change references from “classes” and “activities” to “a class” and “activity.” Adds language to provide that an offense under this section is a Class C misdemeanor, unless the person has previously been convicted of an offense under this section, in which event the offense is a Class B misdemeanor.

SECTION 2. Amends Section 37.124(c)(1), Education Code, to change a reference from “classroom instruction” to “the conduct of a class or other school activity,” to add language providing that preventing or hindering entrance to or exit from school property during the period beginning one hour before commencement of classes for the school day and ending one hour after conclusion of classes for the school day, although nothing in this subsection shall prevent the legitimate exercise of the rights of free speech or assembly under the Texas and U.S. Constitutions. Makes conforming changes.

SECTION 3. Amends Section 37.124 (c)(4), Education Code, to define “school activity” to include an activity held on school property before or after school.

SECTION 4. Effective date: September 1, 2001.