

BILL ANALYSIS

Senate Research Center
77R13382 CAS-F

C.S.S.B. 1525
By: Van de Putte
Education
4/19/2001
Committee Report (Substituted)

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 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. C.S.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 Section 37.124, 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 it is shown on the trial of the offense that the person has previously been convicted of an offense under this section, in which event the offense is a Class B misdemeanor. Redefines “disrupting the conduct of a class or other school activity.” Defines “school activity.” Makes conforming changes.

SECTION 2. Makes application of this Act prospective.

SECTION 3. Effective date: September 1, 2001.

SUMMARY OF COMMITTEE CHANGES

Amends As Filed S.B. 1525 as follows:

SECTION 1. Adds proposed text pertaining to the elevation of an offense under this section from a Class C to a Class B misdemeanor.

Removes proposed SECTIONS 2 and 3 and incorporates proposed text from those sections into SECTION 1.

SECTION 2. Makes application of this Act prospective.

SECTION 3. Redesignates SECTION 4 as SECTION 3.