

BILL ANALYSIS

Senate Research Center
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S.B. 42
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Education
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As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

The purpose of this legislation is to increase awareness on the prevalence of school bullying and the severity of its effects and to expand the current definition of bullying to include that bullying which occurs via electronic medium: electronic or "cyber" bullying. The bill does not prescribe specific disciplinary outcomes for electronic bullying, but may provide districts with more leverage to address this serious problem in our schools.

Current law, as stated in Section 25.0342(a), Education Code, defines bullying as "engaging in written or verbal expression or physical conduct that a school district board of trustees or the board's designee determines has having physically harming effects on the student, damage to student's property, or placing a student in reasonable fear of harm." Current law does not address electronic forms of bullying which are increasingly being used.

As proposed, S.B. 42 amends current law relating to bullying through electronic means in public schools.

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 25.0342(a), Education Code, to redefine "bullying."

SECTION 2. Amends Section 37.001(b), Education Code, to define "bullying," and to make nonsubstantive changes.

SECTION 3. Provides that this Act applies beginning with the 2011-2012 school year.

SECTION 4. Effective date: upon passage or September 1, 2011.