

BILL ANALYSIS

S.B. 2432
By: Taylor
Public Education
Committee Report (Unamended)

BACKGROUND AND PURPOSE

There are concerns that the grounds on which a public school district is required to initiate a removal of a student to a disciplinary alternative education program (DAEP) are too narrow and do not cover students who threaten bodily injury against teachers or their families. S.B. 2432 seeks to extend the requirement for removal to a DAEP to a student who commits certain harassment offenses against a district employee.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

S.B. 2432 amends the Education Code to require a student to be removed from class and placed in a disciplinary alternative education program if the student engages in conduct that contains the following elements of the offense of harassment against an employee of the school district and does so on or within 300 feet of school property or while attending a school-sponsored or school-related activity on or off school property:

- initiates communication and in the course of the communication makes a comment, request, suggestion, or proposal that is obscene;
- threatens, in a manner reasonably likely to alarm the person receiving the threat, to inflict bodily injury on the person or to commit a felony against the person, a member of the person's family or household, or the person's property;
- conveys, in a manner reasonably likely to alarm the person receiving the report, a false report, which is known by the conveyor to be false, that another person has suffered death or serious bodily injury; or
- sends repeated electronic communications in a manner reasonably likely to harass, annoy, alarm, abuse, torment, embarrass, or offend another.

S.B. 2432 applies beginning with the 2019-2020 school year.

EFFECTIVE DATE

On passage, or, if the bill does not receive the necessary vote, September 1, 2019.