

## **BILL ANALYSIS**

C.S.H.B. 2975  
By: Hull  
Public Education  
Committee Report (Substituted)

### **BACKGROUND AND PURPOSE**

There have been instances of young children experiencing an emotional or behavioral disturbance being physically restrained and handcuffed or even pepper sprayed by school security personnel or other peace officer while at school. This can be extremely traumatic for both parties involved. C.S.H.B. 2975 seeks to address this issue by prohibiting these actions in order to encourage the use of de-escalation.

### **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**

C.S.H.B. 2975 amends the Education Code to prohibit a peace officer performing law enforcement duties or school security personnel performing security-related duties on the property of a public school district or at a school-sponsored or school-related activity from restraining or using a chemical irritant spray on a student 10 years of age or younger unless the student poses a serious risk of harm to the student or another person.

### **EFFECTIVE DATE**

On passage, or, if the bill does not receive the necessary vote, September 1, 2021.

### **COMPARISON OF ORIGINAL AND SUBSTITUTE**

While C.S.H.B. 2975 may differ from the original in minor or nonsubstantive ways, the following summarizes the substantial differences between the introduced and committee substitute versions of the bill.

The substitute revises a provision in the original to include using a chemical irritant spray among the applicable prohibited actions.