

BILL ANALYSIS

Senate Research Center

S.B. 134
By: Bivins
Education
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As Filed

DIGEST

Currently, a student can be expelled for felony controlled substance offenses. School districts are prohibited from expelling student for misdemeanor controlled substance offenses. S.B. 134 provides that a student can be expelled for all controlled substance offenses that occur on state property or at a school-sponsored or school-related event.

PURPOSE

As proposed, S.B. 134 sets forth the activities which authorize a student to be expelled with regard to certain controlled substances, dangerous substances, alcoholic beverages, or volatile chemicals.

RULEMAKING AUTHORITY

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

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Sections 37.006(a) and (b), Education Code, to make conforming and nonsubstantive changes.

SECTION 2. Amends Section 37.007, Education Code, by adding Subsection (b), to provide that a student may be expelled if the student, while on school property or while attending a school-sponsored or school-related activity on or off school property sells, gives, or delivers to another person or possesses, uses, or is under the influence of any amount of marihuana or a controlled substance, a dangerous drug, or an alcoholic beverage. Provides that a student may be expelled if the student engages in conduct that contains the elements of an offense relating to abusable glue or aerosol paint under Section 485.031 through 485.035, Health and Safety Code, or relating to volatile chemicals under Chapter 484, Health and Safety Code. Makes conforming changes.

SECTION 3. Amends Section 37.010(b), Education Code, to make a conforming change.

SECTION 4. Provides that this Act takes effect with the beginning of the 1997-1998 school year.

SECTION 5. Emergency clause.
Effective date: upon passage.