

BILL ANALYSIS

Senate Research Center

S.B. 685
By: Shapiro
Criminal Justice
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As Filed

DIGEST

Currently, Texas law requires law enforcement agencies to notify a school superintendent or a designee of the arrest or detention of a student for certain offenses. There is concern that the law applies only to students 17 years of age or younger. Because the law says "17," law enforcement agencies may not check to determine if an 18- or 19-year-old is in school, and thus superintendents and teachers are not informed. This bill will require law enforcement agencies to determine if a person is enrolled in school and if the person is, require notification to be within 24 hours or on the next school day, and will require the superintendent to notify certain school personnel of the arrest or detention and any subsequent disposition of that arrest or detention.

PURPOSE

As proposed, S.B. 685 requires law enforcement agencies to determine if a person is enrolled in school and requires a school superintendent or a designee to be notified within 24 hours or on the next school day of the arrest or detention of a student, and requires the superintendent to notify certain school personnel of the arrest or detention and any subsequent disposition of that arrest or detention.

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 Articles 15.27(a)-(c), Code of Criminal Procedure, to set forth procedures requiring notification by law enforcement agencies to school superintendents or their designees of the arrest or detention of a student, enrolled in public primary or secondary school, for certain offenses. Requires the superintendent to promptly notify all instructional and support personnel who have regular contact with the student. Requires the new school officials, if the student changes school districts, to promptly notify all instructional and support personnel who have regular contact with the student.

SECTION 2. Repealer: Article 15.27(d), Code of Criminal Procedure (Notification to Schools Required).

SECTION 3. Provides that the change in law made by this Act applies beginning with the 1997-1998 school year.

SECTION 4. Emergency clause.
Effective date: upon passage.