

BILL ANALYSIS

Senate Research Center

S.B. 821
By: Bivins
Criminal Justice
3-25-97
As Filed

DIGEST

Currently, Texas law does not prohibit the use of the academic product of another person to satisfy an academic requirement. College and university officials have seen an increase in the number of individuals and businesses offering to sell already-prepared term papers or theses or to write original term papers or theses for a fee. While colleges and universities have the ability to discipline students who cheat, the schools have nothing at their disposal to deter individuals and services from inducing students to cheat. This bill will create a criminal offense for the preparation, sale, or distribution of certain academic materials for profit.

PURPOSE

As proposed, S.B. 821 creates a criminal offense for the preparation, sale, or distribution of certain academic materials for profit.

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 Chapter 32D, Penal Code, by adding Section 32.49, as follows:

Sec. 32.49. DECEPTIVE PREPARATION AND MARKETING OF ACADEMIC PRODUCT. Defines "academic product," "academic requirement," and "institution of higher education." Provides that a person commits a Class B misdemeanor if the person commits certain acts regarding the preparation, sale, or distribution of an academic product to satisfy an academic requirement of a person other than the person who prepared the product. Sets forth defenses to prosecution under this section.

SECTION 2. Effective date: September 1, 1997.

SECTION 3. Emergency clause.