

BILL ANALYSIS

Senate Research Center
80R5797 CAE-D

S.B. 606
By: Ogden
Education
3/1/2007
As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Section 21.006, Education Code, was enacted by the 79th Legislature to require school superintendents to report to the State Board for Educator Certification the names of educators they have reason to believe have committed certain crimes, including sexual abuse of a student.

Currently, the press is able to obtain the identity of victims of abuse by a teacher as there is no language in the statute to prevent a victim's identity from being publicly released.

Currently, Article 57.02, Code of Criminal Procedure, prohibits the release of identifying information of sexual assault victims less than 17 years of age. However, that provision does not apply when Section 21.006, Education Code, is operating alone.

As proposed, S.B. 606 amends Section 21.006, Code of Criminal Procedure, to expressly exclude the name of the student-victim from disclosure under the Public Information Act.

RULEMAKING AUTHORITY

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

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 21.006, Education Code, by adding Subsection (h), to provide that the name of a student or minor who is the victim of abuse or unlawful conduct by an educator and included in a report filed under this section is not public information under Chapter 552 (Public Information), Government Code.

SECTION 2. Makes application of this Act prospective to the 2007–2008 school year.

SECTION 3. Effective date: upon passage or September 1, 2007.