

BILL ANALYSIS

Senate Research Center
85R26767 MM-D

H.B. 674
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Education
5/11/2017
Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Relating to the suspension of a student enrolled in a grade level below grade three from public school.

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 37.005, Education Code, by adding Subsection (c), as follows:

(c) Prohibits a student enrolled in a grade level below grade three from being placed in out-of-school suspension unless while on school property or while attending a school-sponsored or school-related activity on or off school property, the student engages in:

(1) conduct that contains the elements of an offense related to weapons under Section 46.02 (Unlawful Carrying Weapons) or 46.05 (Prohibited Weapons), Penal Code;

(2) conduct that contains the elements of a violent offense under Section 22.01 (Assault), 22.011 (Sexual Assault), 22.02 (Aggravated Assault), or 22.021 (Aggravated Sexual Assault), Penal Code; or

(3) selling, giving, delivering to another person or possessing, using, or being under the influence of any amount of marihuana or a controlled substance, as defined by Chapter 481 (Texas Controlled Substances Act), Health and Safety Code, or by 21 U.S.C. Section 801 et seq.; a dangerous drug as defined by Chapter 483 (Dangerous Drugs), Health and Safety Code; or an alcoholic beverage, as defined by Section 1.04 (Definitions), Alcoholic Beverage Code.

SECTION 2. Provides that this Act applies beginning with the 2017-2018 school year.

SECTION 3. Effective date: upon passage or September 1, 2017.