

By: Zaffirini

S.B. No. 36

A BILL TO BE ENTITLED

AN ACT

relating to the offense of hazing.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 37.152(a), Education Code, is amended to read as follows:

(a) A person commits an offense if the person:

(1) engages in hazing;

(2) solicits, encourages, directs, aids, or attempts to aid another in engaging in hazing;

(3) recklessly permits hazing to occur; or

(4) has firsthand knowledge of the planning of a specific hazing incident involving a student in an educational institution, or has firsthand knowledge that a specific hazing incident has occurred, and knowingly fails to report that knowledge ~~[in writing]~~ to the dean of students or other appropriate official of the institution, a peace officer, or a law enforcement agency.

SECTION 2. Section 37.155(b), Education Code, is amended to read as follows:

(b) Any person, including an entity organized to support an organization, who voluntarily reports a specific hazing incident involving a student in an educational institution to the dean of students or other appropriate official of the institution, a peace officer, or a law enforcement agency is immune from civil or criminal liability that might otherwise be incurred or imposed as a

1 result of the reported hazing incident if the person:

2 (1) reports the incident before being contacted by the
3 institution or a law enforcement agency concerning the incident or
4 otherwise being included in the institution's or a law enforcement
5 agency's investigation of the incident; and

6 (2) [~~as determined by the dean of students or other~~
7 ~~appropriate official of the institution designated by the~~
8 ~~institution,~~] cooperates in good faith throughout;

9 (A) any institutional process regarding the
10 incident, as determined by the dean of students or other
11 appropriate official of the institution designated by the
12 institution; or

13 (B) any law enforcement agency's investigation
14 regarding the incident, as determined by the chief or other
15 appropriate official of the law enforcement agency designated by
16 the law enforcement agency.

17 SECTION 3. The change in law made by this Act applies only
18 to an offense committed on or after the effective date of this Act.
19 An offense committed before the effective date of this Act is
20 governed by the law in effect when the offense was committed, and
21 the former law is continued in effect for that purpose. For
22 purposes of this section, an offense was committed before the
23 effective date of this Act if any element of the offense was
24 committed before that date.

25 SECTION 4. Section 37.155, Education Code, as amended by
26 this Act, applies only to a civil cause of action that accrues on or
27 after the effective date of this Act. An action that accrued before

1 the effective date of this Act is governed by the law in effect at
2 the time the action accrued, and that law is continued in effect for
3 that purpose.

4 SECTION 5. This Act takes effect September 1, 2021.