

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 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]~~ another 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 a student group at an educational institution, who voluntarily reports a specific hazing incident involving a student in an educational institution to the dean of students, ~~[or]~~ another appropriate official of the institution, a peace officer, or a law

1 enforcement agency is immune from civil or criminal liability that  
2 might otherwise be incurred or imposed as a result of the reported  
3 hazing incident if the person:

4 (1) reports the incident before being contacted by the  
5 institution concerning the incident or otherwise being included in  
6 the institution's investigation of the incident; and

7 (2) as determined by the dean of students or other  
8 appropriate official of the institution designated by the  
9 institution, cooperates in good faith throughout any institutional  
10 process regarding the incident.

11 SECTION 3. Section 37.157, Education Code, is amended to  
12 read as follows:

13 Sec. 37.157. REPORTING BY MEDICAL AUTHORITIES. A doctor or  
14 other medical practitioner who treats a student who may have been  
15 subjected to hazing activities:

16 (1) shall ~~may~~ report the suspected hazing activities  
17 to police or other law enforcement officials; and

18 (2) is immune from civil or other liability that might  
19 otherwise be imposed or incurred as a result of the report, unless  
20 the report is made in bad faith or with malice.

21 SECTION 4. The change in law made by this Act applies only  
22 to an offense committed on or after the effective date of this Act.  
23 An offense committed before the effective date of this Act is  
24 governed by the law in effect when the offense was committed, and  
25 the former law is continued in effect for that purpose. For purposes  
26 of this section, an offense was committed before the effective date  
27 of this Act if any element of the offense was committed before that

1 date.

2           SECTION 5. Section [37.155](#), Education Code, as amended by  
3 this Act, applies only to a civil cause of action that accrues on or  
4 after the effective date of this Act. An action that accrued before  
5 the effective date of this Act is governed by the law in effect at  
6 the time the action accrued, and that law is continued in effect for  
7 that purpose.

8           SECTION 6. This Act takes effect September 1, 2021.