

By: Davis

H.B. No. 3654

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to the suspension of a public school student for engaging  
3 in certain conduct against an employee or volunteer of a school  
4 district.

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

6 SECTION 1. Section 37.005, Education Code, is amended by  
7 adding Subsections (a-1), (a-2), and (b-1) to read as follows:

8 (a-1) The principal or other appropriate administrator  
9 shall suspend a student who engages in conduct on or off school  
10 property against any employee or volunteer in retaliation for or as  
11 a result of the person's employment or association with a school  
12 district that:

13 (1) contains the elements of an offense under Section  
14 22.01(a)(1), Penal Code; or

15 (2) is otherwise deliberately violent and threatens  
16 the health or safety of another.

17 (a-2) Subsection (b) does not apply to conduct described by  
18 Subsection (a-1).

19 (b-1) Section 37.004 applies to any placement under this  
20 section that would constitute a change in placement under federal  
21 law of a student with a disability who receives special education  
22 services.

23 SECTION 2. This Act applies beginning with the 2023-2024  
24 school year.

1           SECTION 3. This Act takes effect immediately if it receives  
2 a vote of two-thirds of all the members elected to each house, as  
3 provided by Section 39, Article III, Texas Constitution. If this  
4 Act does not receive the vote necessary for immediate effect, this  
5 Act takes effect September 1, 2023.