

By: King
(Leach)

S.B. No. 2392

A BILL TO BE ENTITLED

AN ACT

relating to notice to local law enforcement of certain offenses occurring on public or private school property or at school-sponsored or school-related activities; providing a civil penalty.

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

SECTION 1. Section 37.015, Education Code, is amended by amending Subsection (a) and adding Subsections (a-1), (c-1), (g), and (g-1) to read as follows:

(a) The principal of a public or private primary or secondary school, or a person designated by the principal under Subsection (d), shall notify the chief administrative officer of the school and any school district police department and the police department of the municipality in which the school is located or, if the school is not in a municipality, the sheriff of the county in which the school is located if the principal has reasonable grounds to believe that any of the following activities occur in school, on school property, or at a school-sponsored or school-related activity on or off school property, whether or not the activity is investigated by school security officers:

(1) conduct that may constitute an offense listed under Section 508.149, Government Code;

(2) deadly conduct under Section 22.05, Penal Code;

(3) a terroristic threat under Section 22.07, Penal

Code;

(4) the use, sale, or possession of a controlled substance, drug paraphernalia, or marihuana under Chapter 481, Health and Safety Code;

(5) the possession of any of the weapons or devices listed under Sections 46.01(1)-(14) or Section 46.01(16), Penal Code;

(6) conduct that may constitute a criminal offense under Section 71.02, Penal Code; ~~or~~

(7) conduct that may constitute a criminal offense for which a student may be expelled under Section 37.007(a), (d), or (e);

(8) conduct that may constitute a criminal offense under Section 20A.02, 20A.03, 21.02, 21.11, 21.12, 21.15, 21.16, 21.165, 21.18, 21.19, 22.011, 22.021, 43.23, 43.24, 43.25, 43.26, or 43.262, Penal Code; or

(9) conduct that may constitute a felony of the first degree under Section 22.04, Penal Code.

(a-1) The chief administrative officer of a public or private primary or secondary school shall notify the applicable law enforcement agency described by Subsection (a) regarding conduct described by that subsection immediately after becoming aware that the principal of the school or the principal's designee under Subsection (d) has failed to report the conduct as required by Subsection (a).

(c-1) Immediately after becoming aware of conduct described by Subsection (a), the principal of a public or private primary or

1 secondary school or the principal's designee under Subsection (d)
2 shall provide the notice required by Subsection (a).

3 (g) A principal who fails to report or ensure the
4 principal's designee under Subsection (d) has reported conduct as
5 required by Subsection (a) not later than 48 hours after becoming
6 aware of the conduct or a chief administrative officer who fails to
7 report conduct as required by Subsection (a-1) not later than 48
8 hours after becoming aware that the principal or the principal's
9 designee did not report the conduct is liable to the state for a
10 civil penalty in the amount of \$1,000 for each day after the
11 applicable 48-hour period that the principal, principal's
12 designee, or chief administrative officer fails to report conduct
13 in accordance with this section. The attorney general may sue to
14 collect a civil penalty under this subsection.

15 (g-1) The principal or chief administrative officer of a
16 public primary or secondary school may not use state or local money
17 of the school to pay a civil penalty assessed under Subsection (g).

18 SECTION 2. Section 37.015(c), Education Code, is repealed.

19 SECTION 3. The change in law made by this Act applies only
20 to conduct that occurs on or after the effective date of this Act.
21 Conduct that occurs before the effective date of this Act is
22 governed by the law in effect on the date the conduct occurred, and
23 the former law is continued in effect for that purpose. For the
24 purposes of this section, conduct occurs before the effective date
25 of this Act if any element of the conduct occurred before that date.

26 SECTION 4. This Act takes effect September 1, 2025.