

By: Giddings

H.B. No. 532

A BILL TO BE ENTITLED

1 AN ACT

2 relating to creating the offense of improper sexual relations
3 between employees of a public or private primary or secondary
4 school and certain students.

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

6 SECTION 1. Chapter 21, Penal Code, is amended by adding
7 Section 21.12 to read as follows:

8 Sec. 21.12. IMPROPER RELATIONSHIP BETWEEN EDUCATOR AND
9 STUDENT. (a) An employee of a public or private primary or
10 secondary school commits an offense if the employee engages in
11 sexual contact, sexual intercourse, or deviate sexual intercourse
12 with a person younger than 18 who is enrolled in a public or private
13 primary or secondary school and who is not the employee's spouse.

14 (b) An offense under this section is a state jail felony.

15 (c) If conduct constituting an offense under this section
16 also constitutes an offense under another section of this code, the
17 actor may be prosecuted under either section or both sections.

18 SECTION 2. Section 21.041, Education Code, is amended by
19 adding Subsection (d) to read as follows:

20 (d) The board shall propose an amendment to the educator's
21 code of ethics providing that engaging in conduct prohibited by
22 Section 21.12, Penal Code, is a violation of the code of ethics.

23 SECTION 3. The State Board of Education shall propose the
24 amendment to the educator's code of ethics, as required by Section

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1 21.041(d), Education Code, as added by this Act, not later than
2 January 1, 2004.

3 SECTION 4. This Act takes effect September 1, 2003.