

## **BILL ANALYSIS**

H.B. 625  
By: Olivo  
Public Education  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

The original legislative intent of Chapter 37 of the Texas Education Code (TEC) was to remove students who exhibited criminal behavior from the classroom and place them in a supervised environment to continue their education. A number of cases have occurred in Texas schools where students have accidentally or unintentionally brought an item prohibited by Chapter 37 of the TEC. In a few cases, students have attempted to turn in items to school officials, only to be punished. No provision exists in current law that allows school districts to devise a non-punitive manner for students to turn in such items to school officials without risk of expulsion, suspension, ticketing or even arrest.

HB 625 addresses this issue by instructing school districts to provide guidelines that allow students who unknowingly bring a prohibited item a method of turning in the item to a school official without the risk of punishment. The bill requires that a written notice be sent to the student's parent or guardian after the incident.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

### **ANALYSIS**

HB 625 extends the student code of conduct to include guidelines for a student who unknowingly brings a prohibited item to school a means of turning the item over to a school official without risk of punishment and written notice must be sent to the student's parents regarding the incident.

HB 625 also amends the education code for expulsion for serious offenses if the student uses, exhibits or knowingly possesses an item as set forth by the code.

### **EFFECTIVE DATE**

This Act applies beginning with the 2005 - 2006 school year.

This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2005.