

BILL ANALYSIS

H.B. 878
By: Talton
Public Education

BACKGROUND AND PURPOSE

Current statute requires public school students to be removed from their current school and placed in an alternative education program if they engage in assault, possess or sell illegal drugs, engage in public law lewdness or indecent exposure while on school grounds. There is currently no provision made for such behavior occurring off school property.

HB 878 restricts the placement of students convicted of certain sexual offenses.

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

House Bill 878 amends the Education Code to prohibit a student who has been adjudicated for engaging in indecency with a child, sexual assault, or aggravated sexual assault, placed on deferred prosecution for the stated offenses or placed on probation for the stated offenses from being placed in a regular school classroom or regular campus while enrolled in a school district in this state regardless of where the conduct occurred.

EFFECTIVE DATE

This Act takes effect September 1, 2005.