

BILL ANALYSIS

H.B. 1791
By: Naishtat
Higher Education
Committee Report (Unamended)

BACKGROUND AND PURPOSE

This bill simply clears up any ambiguity that may exist regarding the applicability of the current hazing statutes to private colleges and universities by defining “institutions of higher education” in more specific language. The current hazing statute applies only to public or private high schools and “institutions of higher education.” The term “institutions of higher education” as defined in the Education Code does not include private colleges or universities.

This bill amends the Education Code so as to make clear that the prohibitions contained in the hazing statute include private or independent institutions of higher education. Last session, a similar bill was sent to the Local and Consent committee and was never placed on the calendar.

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

SECTION 1. Amends the Education Code to state that Subchapter F, Chapter 37 of the Education Code applies to public and private postsecondary educational institutions in the same manner as the subchapter applies to a public or private high schools.

SECTION 2. Effective date.

EFFECTIVE DATE

The Act takes effect September 1, 2005.