

BILL ANALYSIS

C.S.H.B. 1805
By: Campbell
Public Education
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Alcohol and drug abuse and dependence are not only adult problems -- they also affect a significant number of adolescents. According to a 2004 report from the National Center on Addiction and Substance Abuse (CASA) at Columbia University, more teens are in treatment for using marijuana than for alcohol or all other illegal drugs combined. Treatment for marijuana abuse rose 142% since 1992. According to the report, children and teens are three times more likely to be in treatment for marijuana than for alcohol. The CASA report also found that hospital emergency room mentions of the drug among 12- to 17-year olds jumped 48 percent since 1999. The National Clearinghouse for Alcohol and Drug Information estimates that over three million teenagers are out-and-out alcoholics. Several million more have a serious drinking problem that they cannot manage on their own. The three leading causes of death for 15- to 24-year-olds are automobile crashes, homicides and suicide - alcohol is a leading factor in all three.

CSHB 1805 allows for school district to provide an alcohol or substance abuse program upon meeting requirements as set forth by this legislation.

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

CSHB 1805 amends the Education Code by adding that school districts may provide an alcohol and substance abuse program developed in consultation with the district's local school health advisory council as established. The program must include procedures for referral to a student treatment facility. The program may not provide detoxification or residential services. A school district may provide program services to a student only if the district obtains written parental or guardian consent: privacy rights must be protected. Exemptions are set forth within this bill.

EFFECTIVE DATE

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.

COMPARISON OF ORIGINAL TO SUBSTITUTE

The substitute requires consultation with the districts school health advisory council and adds the requirement of written parental or guardian consent for a student receiving services under this program.