

By: Brown of Brazos

H.B. No. 1171

A BILL TO BE ENTITLED

AN ACT

relating to protecting students and employees at an institution of higher education from threatened acts of violence.

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

SECTION 1. Subchapter Z, Chapter 51, Education Code, is amended by adding Section 51.9365 to read as follows:

Sec. 51.9365. PROTECTION FROM ACTS OF VIOLENCE BY STUDENTS AND EMPLOYEES. (a) The president or other chief executive officer of an institution of higher education, as defined by Section 61.003, shall provide for the identification of a student or employee who poses a substantial threat to human life on the campus or other facility of the institution.

(b) A student or employee who poses a substantial threat to another student or employee under this section may be removed from the campus or facility.

(c) An institution of higher education shall establish procedures under this section for:

(1) the filing of complaints or reports by students and employees of persons who may pose a substantial threat to human life; and

(2) the removal of a student or employee from the campus or facility.

(d) The procedures established under this section shall ensure due process rights for all persons under applicable state

1 and federal law, and, as appropriate, ensure adequate
2 confidentiality of records.

3 (e) For the purposes of this section, a person poses a
4 substantial threat to human life if the person knowingly threatens
5 to commit a violent offense, as defined by Article 17.032, Code of
6 Criminal Procedure, against a student or employee in a manner that
7 reasonably places the student or employee in fear of imminent
8 bodily injury.

9 SECTION 2. This Act takes effect September 1, 2005.