

## **BILL ANALYSIS**

H.B. 2128  
By: Murphy  
Higher Education  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

In the 79th Session, the legislature passed SB 990 that requires that all camps licensed under Title 141 of the Health and Safety Code require employees and volunteers to participate in a sexual predator training class. SB 990 did not include programs for minors that are held on campuses of public and private institutions of higher education.

HB 2128 accomplishes two things. First, the bill expands a program that is implemented in our summer camps to include similar programs for minors to help keep the children of Texas safe while they are away from their families. Second, the bill defines programs held on these campuses as programs for minors instead of camps. The change in definition is necessary to keep the Title 141 camps separate from the programs for minors on campuses.

### **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: Subchapter Z, Chapter 51 of the Education Code is amended to add language regarding training required to operate programs for minors. Defines "institution of higher education," "private or independent institution of higher education," "minor," and "program for minors."

"Programs for minors" is a program operated by an institution of higher education or a private or independent institution of higher education that provides recreational, athletic or educational activities for minors other than minors enrolled at the institution; and accommodates at least five minors who attend or temporarily reside at the camp for all or part of at least four days.

An institution may not operate a program for minors unless each employee and volunteer who will be in contact with a participant of the program who is a minor completes a training and examination program on prevention of sexual abuse and child molestation. An employee or volunteer must successfully complete the training and examination program at least once every two years and may satisfy that requirement by completing a program approved by the Department of State Health Services. An institution that operates a program must submit proof of employee and volunteer compliance to the Texas Higher Education Coordinating Board.

SECTION 2: Effective date.

### **EFFECTIVE DATE**

This Act takes effect September 1, 2007.