

By: Shapiro

S.B. No. 1067

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the enrollment in public school of students who are  
3 registered sex offenders and the notification requirements  
4 concerning certain offenses committed by students.

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

6 SECTION 1. Subchapter A, Chapter 25, Education Code, is  
7 amended by adding Section 25.0012 to read as follows:

8 Sec. 25.0012. ENROLLMENT OF CERTAIN REGISTERED SEX  
9 OFFENDERS. (a) Except as provided by Subsection (c) and  
10 notwithstanding Section 25.001, a student may not enroll at a  
11 public school campus if the student is required to register as a sex  
12 offender under Chapter 62, Code of Criminal Procedure.

13 (b) This section does not apply to a person who is no longer  
14 required to register as a sex offender under Chapter 62, Code of  
15 Criminal Procedure, including a person who receives an exemption  
16 from registration under Subchapter H, Chapter 62, Code of Criminal  
17 Procedure, or a person who receives an early termination of the  
18 obligation to register under Subchapter I, Chapter 62, Code of  
19 Criminal Procedure.

20 (c) Notwithstanding Subchapter A, Chapter 37, a student to  
21 whom this section applies and who is not exempt from the compulsory  
22 school attendance requirements under Section 25.086 shall enroll in  
23 a disciplinary alternative education program under Section 37.008  
24 or a juvenile justice alternative education program under Section

1 37.011.

2 SECTION 2. Articles 15.27(c) and (d), Code of Criminal  
3 Procedure, are amended to read as follows:

4 (c) A parole or probation office, including a juvenile  
5 board, having jurisdiction over a student described by Subsection  
6 (a), (b), or (e) who transfers from a school or is subsequently  
7 removed from a school and later returned to a school or school  
8 district other than the one the student was enrolled in when the  
9 arrest, referral to a juvenile court, conviction, or adjudication  
10 occurred shall within 24 hours of learning of the student's  
11 transfer or reenrollment notify the new school officials of the  
12 arrest or referral in a manner similar to that provided for by  
13 Subsection (a) or (e)(1), or of the conviction or delinquent  
14 adjudication in a manner similar to that provided for by Subsection  
15 (b) or (e)(2). The Texas Youth Commission shall provide the notice  
16 required by this subsection if the student is committed to the  
17 commission. The new school officials shall promptly notify all  
18 instructional and support personnel who have regular contact with  
19 the student.

20 (d) The superintendent or a person designated by the  
21 superintendent in the school district may send to a school district  
22 employee having direct supervisory responsibility over the student  
23 the information contained in the confidential notice if the  
24 superintendent or the person designated by the superintendent  
25 determines that the school district employee needs the information  
26 for educational purposes or for the protection of the person  
27 informed or others. On receiving notice under Chapter 62, Code of

1 Criminal Procedure, that a student who is required to register as a  
2 sex offender is enrolled in the district, the superintendent or a  
3 person designated by the superintendent shall within 24 hours  
4 notify all instructional and support personnel who have regular  
5 contact with the student.

6 SECTION 3. Section 25.0012, Education Code, as added by  
7 this Act, applies only to an offense committed on or after the  
8 effective date of this Act. An offense committed before the  
9 effective date of this Act is governed by the law in effect when the  
10 offense was committed, and the former law is continued in effect for  
11 that purpose. For purposes of this section, an offense was  
12 committed before the effective date of this Act if any element of  
13 the offense occurred before that date.

14 SECTION 4. This Act takes effect September 1, 2007.