

By: Dutton

H.B. No. 943

A BILL TO BE ENTITLED

AN ACT

relating to disciplinary actions imposed on public school students who disrupt the conduct of class or other school activities.

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

SECTION 1. Subchapter A, Chapter 37, Education Code, is amended by adding Section 37.0052 to read as follows:

Sec. 37.0052. SUSPENSION OF STUDENT FOR DISRUPTION OF CLASSES IN CERTAIN CIRCUMSTANCES. (a) In this section:

(1) "Disrupting the conduct of classes or other school activities," "public property," and "school property" have the meanings assigned by Section 37.124(c).

(2) "Student" means any person who is registered in or in attendance at a public school.

(b) A principal may place a student into in-school suspension if the student, on school property or on public property within 500 feet of school property, alone or in concert with others, intentionally disrupts the conduct of classes or other school activities.

(c) A suspension under this section may not exceed three school days.

SECTION 2. Section 37.124(a), Education Code, is amended to read as follows:

(a) A person other than a student commits an offense if the person, on school property or on public property within 500 feet of

1 school property, alone or in concert with others, intentionally
2 disrupts the conduct of classes or other school activities.

3 SECTION 3. Section 37.124(c), Education Code, is amended by
4 adding Subdivision (4) to read as follows:

5 (4) "Student" has the meaning assigned by Section
6 37.0052.

7 SECTION 4. This Act applies beginning with the 2009-2010
8 school year.

9 SECTION 5. (a) The change in law made by Section
10 37.124(a), Education Code, as amended by this Act, applies only to
11 an offense committed on or after the effective date of this Act.
12 For purposes of this section, an offense is committed before the
13 effective date of this Act if any element of the offense occurs
14 before that date.

15 (b) An offense committed before the effective date of this
16 Act is governed by the law in effect when the offense was committed,
17 and the former law is continued in effect for that purpose.

18 SECTION 6. This Act takes effect immediately if it receives
19 a vote of two-thirds of all the members elected to each house, as
20 provided by Section 39, Article III, Texas Constitution. If this
21 Act does not receive the vote necessary for immediate effect, this
22 Act takes effect September 1, 2009.