

By: Zaffirini

S.B. No. 29

A BILL TO BE ENTITLED

AN ACT

relating to bullying through electronic means in public schools.

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

SECTION 1. Section 25.0342(a), Education Code, is amended to read as follows:

(a) In this section, "bullying" means engaging in written or verbal expression, expression through electronic means, or physical conduct that a school district board of trustees or the board's designee determines:

(1) will have the effect of physically harming a student, damaging a student's property, or placing a student in reasonable fear of harm to the student's person or of damage to the student's property; or

(2) is sufficiently severe, persistent, or pervasive enough that the action or threat creates an intimidating, threatening, or abusive educational environment for a student.

SECTION 2. Section 37.001(b), Education Code, is amended to read as follows:

(b) In this section:

(1) "Bullying" has the meaning assigned by Section 25.0342.

(2) "Harassment" means threatening to cause harm or bodily injury to another student, engaging in sexually intimidating conduct, causing physical damage to the property of another

1 student, subjecting another student to physical confinement or  
2 restraint, or maliciously taking any action that substantially  
3 harms another student's physical or emotional health or safety.

4 (3) [~~(2)~~] "Hit list" means a list of people targeted  
5 to be harmed, using:

6 (A) a firearm, as defined by Section 46.01(3),  
7 Penal Code;

8 (B) a knife, as defined by Section 46.01(7),  
9 Penal Code; or

10 (C) any other object to be used with intent to  
11 cause bodily harm.

12 SECTION 3. This Act applies beginning with the 2009-2010  
13 school year.

14 SECTION 4. This Act takes effect immediately if it receives  
15 a vote of two-thirds of all the members elected to each house, as  
16 provided by Section 39, Article III, Texas Constitution. If this  
17 Act does not receive the vote necessary for immediate effect, this  
18 Act takes effect September 1, 2009.