

By: Gutierrez

H.B. No. 3018

A BILL TO BE ENTITLED

AN ACT

relating to a policy of a school district concerning possession of a paging device by a student.

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

SECTION 1. Section 37.082, Education Code, is amended by amending Subsection (b) and adding Subsections (b-1) and (b-2) to read as follows:

(b) A [The] policy adopted under Subsection (a) may provide for the district to[+]

[~~(1)~~] dispose of a confiscated paging device in any reasonable manner after having provided the student's parent and the company whose name and address or telephone number appear on the device 30 days' prior notice of the district's [its] intent to dispose of that device unless the device is reclaimed in accordance with this section before the end of the 30-day period.

(b-1) The notice under Subsection (b):

(1) must [shall] include the serial number of the paging device;

(2) must include the location at which the device may be reclaimed;

(3) must state the date by which the device must be reclaimed;

(4) must state the administrative fee, if any, charged for reclaiming the device; and

1           (5) may be made by telephone[, ~~telegraph,~~] or in  
2 writing, including by e-mailing written notice.

3           (b-2) A school district may [~~, and (2)~~] charge the owner  
4 of the paging device or the student's parent an administrative fee  
5 not to exceed \$15 before the district [~~it~~] releases the device if  
6 the district has confiscated a device from the student at least two  
7 previous times.

8           SECTION 2. This Act applies beginning with the 2011-2012  
9 school year.

10           SECTION 3. This Act takes effect immediately if it receives  
11 a vote of two-thirds of all the members elected to each house, as  
12 provided by Section 39, Article III, Texas Constitution. If this  
13 Act does not receive the vote necessary for immediate effect, this  
14 Act takes effect September 1, 2011.