

By: Pickett

H.B. No. 3440

A BILL TO BE ENTITLED

AN ACT

relating to creation of an offense of bullying of a school district employee by a student.

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

SECTION 1. Subchapter E, Chapter 37, Education Code, is amended by adding Section 37.127 to read as follows:

Sec. 37.127. OFFENSE: BULLYING OF SCHOOL DISTRICT EMPLOYEE BY STUDENT. (a) A student commits an offense if the student knowingly engages in written or verbal expression, communication through electronic means, or physical conduct directed at a school district employee in retaliation for or as a result of the employee's employment or association with a school district, without regard to whether the conduct occurs on or off of school property or while attending a school-sponsored or school-related activity on or off of school property, that:

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

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

(b) An offense under this section is a Class B misdemeanor.

(c) If conduct that constitutes an offense under this

1 section also constitutes an offense under any other law, the
2 student may be prosecuted under this section or the other law.

3 SECTION 2. This Act takes effect September 1, 2011.