

By: Patrick

S.B. No. 1544

A BILL TO BE ENTITLED

1 AN ACT
2 relating to a determination on granting assault leave to a
3 certified educator where there has been a juvenile or criminal
4 conviction.

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

6 SECTION 1. Section 22.003(c), Education Code, is amended to
7 read as follows:

8 Sec. 22.003. (c) For purposes of Subsection (b), an
9 employee of a school district ~~[is]~~ shall be deemed to have been
10 physically assaulted and shall be granted assault leave by the
11 district as of the date of the assault regardless of any intervening
12 determination by the district if the person engaging in the conduct
13 causing injury to the employee:

14 (1) has been found guilty of the crime of assault based
15 on the same conduct causing injury to the employee by either a
16 juvenile or criminal court of law;

17 (2) [~~1~~] could be prosecuted for assault; or

18 (3) [~~2~~] could not be prosecuted for assault only
19 because the person's age or mental capacity makes the person a
20 nonresponsible person for purposes of criminal liability.

21 SECTION 2. This Act takes effect immediately if it receives
22 a vote of two-thirds of all the members elected to each house, as
23 provided by Section 39, Article III, Texas Constitution. If this
24 Act does not receive the vote necessary for immediate effect, this

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1 Act takes effect September 1, 2011.