

BILL ANALYSIS

H.B. 1231
By: Giddings
Public Education
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Texas law was recently amended to make it an exception to the offenses relating to the disruption of class and the disruption of transportation that the person accused of committing the offense, at the time of the offense, was a student in the sixth grade or a lower grade level. The purpose of this exception is to reduce the number of children being criminally adjudicated. There is concern, however, that under current law, some sixth graders as young as 10 years of age may still be prosecuted. Interested parties assert that the law should be amended to be based on age, rather than grade level. H.B. 1231 seeks to remedy this situation.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

H.B. 1231 amends the Education Code to make it an exception from the application of the offense of intentionally disrupting the conduct of classes or other school activities and the offense of disrupting, preventing, or interfering with the lawful transportation of children to or from school or a school-sponsored activity on a vehicle owned or operated by a county or independent school district that the person, at the time the person engaged in conduct prohibited by the offense, was younger than 12 years of age, rather than that the person was in the sixth grade or a lower grade level.

EFFECTIVE DATE

September 1, 2013.