

BILL ANALYSIS

Senate Research Center

S.B. 124
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Education
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Enrolled

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

The Public Education Information Management System (PEIMS) is used by the Texas Education Agency to collect student and teacher data from school districts and open-enrollment charter schools. Collecting accurate and complete data through PEIMS is vital to ensure accountability in the Texas school system.

Under current law, it is a felony of the third degree to falsify or otherwise impair the verity of a public school record, report, or assessment instrument.

S.B. 124 amends current law relating to the punishment for the offense of tampering with certain governmental records based on certain reporting for school districts and open-enrollment charter schools.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 37.10(c)(2), Penal Code, to provide that an offense under this section is a felony of the third degree under certain circumstances, including if it is shown on the trial of the offense that the governmental record was data reported for a school district or open-enrollment charter school to the Texas Education Agency (TEA) through the Public Education Information Management System (PEIMS) described by Section 42.006 (Public Education Information Management System (PEIMS)), Education Code, under a law or rule requiring that reporting, unless the actor's intent is to defraud or harm another, in which event the offense is a felony of the second degree.

SECTION 2. Amends Section 39.03(d), Penal Code, to provide that an offense under this section is a Class A misdemeanor, except that an offense is a felony of the third degree if the public servant acted with the intent to impair the accuracy of data reported to TEA through PEIMS described by Section 42.006, Education Code, under a law requiring that reporting.

SECTION 3. Makes application of this Act prospective.

SECTION 4. Effective date: September 1, 2013.