

By: West

S.B. No. 1122

A BILL TO BE ENTITLED

AN ACT

1
2 relating to a prohibition against the use of certain sprays, stun
3 guns, and Tasers by school district peace officers, security
4 personnel, and other employees against public school students.

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

6 SECTION 1. Subchapter C, Chapter 37, Education Code, is
7 amended by adding Section 37.0814 to read as follows:

8 Sec. 37.0814. USE OF OC SPRAY, STUN GUN, OR TASER AGAINST
9 STUDENTS PROHIBITED. (a) In this section:

10 (1) "OC spray" means any aerosol-propelled
11 debilitation device that is composed of a lachrymatory chemical
12 compound that irritates the eyes to cause tears, pain, or temporary
13 blindness. The term includes pepper spray, capsicum spray, OC gas,
14 and oleoresin capsicum.

15 (2) "Stun gun" has the meaning assigned by Section
16 38.14, Penal Code.

17 (3) "Taser" means a device manufactured, sold, or
18 distributed by Taser International, Incorporated, that is
19 intended, designed, made, or adapted to incapacitate a person by
20 inflicting an electrical charge through the emission of a
21 projectile or conductive stream. The term, for purposes of this
22 section, includes a similar device manufactured, sold, or
23 distributed by another person.

24 (b) The board of trustees of a school district shall

1 prohibit school district peace officers, security personnel, and
2 other employees from using OC spray or a stun gun or Taser to subdue
3 a student on school property or while attending a school-sponsored
4 or school-related activity off of school property.

5 SECTION 2. This Act takes effect immediately if it receives
6 a vote of two-thirds of all the members elected to each house, as
7 provided by Section 39, Article III, Texas Constitution. If this
8 Act does not receive the vote necessary for immediate effect, this
9 Act takes effect September 1, 2013.