

By: West

S.B. No. 1124

A BILL TO BE ENTITLED

AN ACT

relating to certain offenses relevant to maintaining public school discipline.

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

SECTION 1. Section 42.01(c), Penal Code, is amended to read as follows:

(c) For purposes of this section:

(1) an act is deemed to occur in a public place or near a private residence if it produces its offensive or proscribed consequences in the public place or near a private residence; ~~and~~

(2) a noise is presumed to be unreasonable if the noise exceeds a decibel level of 85 after the person making the noise receives notice from a magistrate or peace officer that the noise is a public nuisance; and

(3) school property, as defined by Section 37.124(c)(3), Education Code, is deemed to be a public place, notwithstanding Section 1.07(40).

SECTION 2. Section 25.094(a), Education Code, is amended to read as follows:

(a) An individual commits an offense if the individual:

(1) is 12 years of age or older and younger than 21 ~~18~~ years of age;

(2) is required to attend school under Section 25.085 or a school district policy adopted under that section; and

1           (3) fails to attend school on 10 or more days or parts  
2 of days within a six-month period in the same school year or on  
3 three or more days or parts of days within a four-week period.

4           SECTION 3. The changes in law made by this Act apply only to  
5 an offense committed on or after the effective date of this Act. An  
6 offense committed before the effective date of this Act is governed  
7 by the law in effect immediately before the effective date of this  
8 Act, and the former law is continued in effect for that purpose.

9           SECTION 4. This Act takes effect September 1, 2013.