

## **BILL ANALYSIS**

H.B. 3187  
By: Alvarado  
Higher Education  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

Interested parties contend that too many incidents of campus sexual assault go unreported to the college or university. H.B. 3187 seeks to reform the law regarding campus sexual assault policies in an effort to encourage the reporting of sexual assault.

### **CRIMINAL JUSTICE IMPACT**

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

### **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. 3187 amends the Education Code to require each public institution of higher education to provide to students enrolled at the institution information regarding the institution's adopted protocol for reporting incidents of campus sexual assault, including the name, office location, and contact information of the institution's Title IX coordinator, by emailing the information to each student at the beginning of each semester or other academic term and including the information in the required orientation on the institution's campus sexual assault policy. The bill requires each institution, as part of the institution's adopted protocol for responding to reports of campus sexual assault, to ensure that each alleged victim or alleged perpetrator of an incident of campus sexual assault and any other person who reports such an incident is offered counseling provided by a counselor who does not provide counseling to any other person involved in the incident and to allow an alleged victim or alleged perpetrator of an incident of campus sexual assault to drop a course in which both parties are enrolled without any academic penalty.

H.B. 3187 prohibits an institution from taking any disciplinary action against a student enrolled at the institution who reports to the institution being the victim of, or a witness to, an incident of campus sexual assault for a violation by the student of the institution's policies on student conduct that involves alcohol or drug use and occurs in relation to the incident. The bill prohibits this prohibition from being construed to limit an institution's ability to provide amnesty from application of the institution's policies in circumstances not described by the prohibition. The bill's provisions apply beginning with the 2017-2018 academic year.

### **EFFECTIVE DATE**

On passage, or, if the bill does not receive the necessary vote, September 1, 2017.