

By: Leach

H.B. No. 2230

A BILL TO BE ENTITLED

1 AN ACT

2 relating to requiring certain public and private institutions of
3 higher education to provide amnesty to students who report
4 incidents of sexual assault.

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

6 SECTION 1. Subchapter Z, Chapter 51, Education Code, is
7 amended by adding Section 51.9366 to read as follows:

8 Sec. 51.9366. AMNESTY FOR STUDENTS REPORTING INCIDENTS OF
9 SEXUAL ASSAULT. (a) In this section:

10 (1) "Coordinating board" means the Texas Higher
11 Education Coordinating Board.

12 (2) "Postsecondary educational institution" means an
13 institution of higher education or a private or independent
14 institution of higher education, as those terms are defined by
15 Section 61.003.

16 (b) A postsecondary educational institution may not take
17 any disciplinary action against a student enrolled at the
18 institution for a violation by the student of the institution's
19 policies on student conduct if the student reports to the
20 institution being the victim of, or a witness to, an incident of
21 sexual assault and the violation of the institution's policies is
22 in relation to the incident. This subsection applies regardless of
23 the location at which the incident occurred or the outcome of the
24 institution's disciplinary process or a criminal proceeding

1 regarding the incident, if any.

2 (c) This section may not be construed to limit a
3 postsecondary educational institution's ability to provide amnesty
4 from application of the institution's policies in circumstances not
5 described by Subsection (b).

6 (d) The coordinating board may adopt rules as necessary to
7 implement and enforce this section.

8 SECTION 2. Section 51.9366, Education Code, as added by
9 this Act, applies beginning with the 2017-2018 academic year.

10 SECTION 3. This Act takes effect immediately if it receives
11 a vote of two-thirds of all the members elected to each house, as
12 provided by Section 39, Article III, Texas Constitution. If this
13 Act does not receive the vote necessary for immediate effect, this
14 Act takes effect September 1, 2017.