

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 85TH LEGISLATIVE REGULAR SESSION**

**April 24, 2017**

**TO:** Honorable Joan Huffman, Chair, Senate Committee on State Affairs

**FROM:** Ursula Parks, Director, Legislative Budget Board

**IN RE:** SB179 by Menéndez (Relating to harassment, bullying, and cyberbullying of a public school student or minor and injury to or death of a minor; creating a criminal offense.),  
**Committee Report 1st House, Substituted**

**No significant fiscal implication to the State is anticipated.**

The bill would amend Education Code provisions regarding bullying to include cyberbullying; to specify the placement or expulsion of certain students; to require school districts to establish a district wide mental health plan; and to specify school principal reporting duties relating to harassment. The bill would amend the Civil Practice and Remedies Code to specify potential liability for certain bullying causes of action, and to require that the Texas Supreme Court promulgate forms for use as an application for injunctive relief in suits relating to bullying. The bill would also amend the Penal Code to include certain actions within the offense of harassment.

The Texas Education Agency and the Office of Court Administration report that the bill could be implemented with existing resources.

**Local Government Impact**

School districts and open-enrollment charter schools may incur costs to adopt cyberbullying and reporting policies. The requirement for counselors to serve as conciliators may result in the need for additional counselor training and staff time. The Texas Education Agency estimates these provisions could be implemented at minimal local cost, and that costs will vary depending on the size of the district and current policies and practices.

A Class A misdemeanor is punishable by a fine of not more than \$4,000, confinement in jail for a term not to exceed one year, or both. Costs associated with enforcement, prosecution, and confinement could likely be absorbed within existing resources. Revenue gain from fines imposed and collected is not anticipated to have a significant fiscal implication.

No significant fiscal impact on the local courts is anticipated.

**Source Agencies:** 212 Office of Court Administration, Texas Judicial Council, 701 Texas Education Agency

**LBB Staff:** UP, RSt, JGA, AG, AM, AW