

By: Hughes

S.B. No. 316

A BILL TO BE ENTITLED

AN ACT

relating to the attorney general's duty to defend public school teachers.

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

SECTION 1. Subchapter B, Chapter 22, Education Code, is amended by adding Section 22.0518 to read as follows:

Sec. 22.0518. DEFENSE BY ATTORNEY GENERAL. (a) The attorney general shall defend a civil action brought against a teacher employed by a school district or open-enrollment charter school as a result of an act that the teacher in good faith believed was incident to or within the scope of the teacher's duties if the attorney general determines that the teacher acted in good faith.

(b) Subsection (a) applies regardless of whether at the time the action is initiated the teacher has terminated service with the school district or open-enrollment charter school.

(c) A determination made by the attorney general under Subsection (a) may not be admitted as evidence in a civil court proceeding.

(d) Nothing in this section may be construed to deprive a teacher of the teacher's right to select legal counsel of the teacher's choosing at the teacher's own expense.

SECTION 2. Section 22.0518, Education Code, as added by this Act, applies only to actions brought on or after the effective date of this Act.

1 SECTION 3. This Act takes effect immediately if it receives
2 a vote of two-thirds of all the members elected to each house, as
3 provided by Section 39, Article III, Texas Constitution. If this
4 Act does not receive the vote necessary for immediate effect, this
5 Act takes effect September 1, 2019.