AN ACT
relating to the removal of a public school student from the
classroom following certain conduct.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:
SECTION 1. Section 37.006(a), Education Code, is amended to
read as follows:
(a) A student shall be removed from class and placed in a
disciplinary alternative education program as provided by Section
37.008 if the student:
(1) engages in conduct involving a public school that
contains the elements of the offense of false alarm or report under
Section 42.06, Penal Code, or terroristic threat under Section
22.07, Penal Code; or
(2) commits the following on or within 300 feet of
school property, as measured from any point on the school's real
property boundary line, or while attending a school-sponsored or
school-related activity on or off of school property:
(A) engages in conduct punishable as a felony;
(B) engages in conduct that contains the elements
of the offense of assault under Section 22.01(a)(1), Penal Code;
(C) sells, gives, or delivers to another person
or possesses or uses or is under the influence of:
(i) marihuana or a controlled substance, as
defined by Chapter 481, Health and Safety Code, or by 21 U.S.C.
Section 801 et seq.; or

(ii) a dangerous drug, as defined by Chapter 483, Health and Safety Code;

(D) sells, gives, or delivers to another person an alcoholic beverage, as defined by Section 1.04, Alcoholic Beverage Code, commits a serious act or offense while under the influence of alcohol, or possesses, uses, or is under the influence of an alcoholic beverage;

(E) engages in conduct that contains the elements of an offense relating to an abusable volatile chemical under Sections 485.031 through 485.034, Health and Safety Code; [†]

(F) engages in conduct that contains the elements of the offense of public lewdness under Section 21.07, Penal Code, or indecent exposure under Section 21.08, Penal Code; or

(G) engages in conduct that contains the elements of the offense of harassment under Section 42.07(a)(1), (2), (3), or (7), Penal Code, against an employee of the school district.

SECTION 2. This Act applies beginning with the 2019-2020 school year.

SECTION 3. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2019.
President of the Senate  
Speaker of the House  
I hereby certify that S.B. No. 2432 passed the Senate on April 11, 2019, by the following vote: Yeas 31, Nays 0; May 23, 2019, Senate refused to concur in House amendments and requested appointment of Conference Committee; May 23, 2019, House granted request of the Senate; May 25, 2019, Senate adopted Conference Committee Report by the following vote: Yeas 27, Nays 3.

Secretary of the Senate  
I hereby certify that S.B. No. 2432 passed the House, with amendments, on May 21, 2019, by the following vote: Yeas 91, Nays 51, two present not voting; May 23, 2019, House granted request of the Senate for appointment of Conference Committee; May 26, 2019, House adopted Conference Committee Report by the following vote: Yeas 74, Nays 67, one present not voting.

Chief Clerk of the House  
Approved:  

Date  

Governor