

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 86TH LEGISLATIVE REGULAR SESSION

May 25, 2019

TO: Honorable Dan Patrick, Lieutenant Governor, Senate
Honorable Dennis Bonnen, Speaker of the House, House of Representatives

FROM: John McGeady, Assistant Director Sarah Keyton, Assistant Director
Legislative Budget Board

IN RE: HB1735 by Howard (relating to sexual harassment, sexual assault, dating violence, and stalking at public and private postsecondary educational institutions; providing an administrative penalty.), **Conference Committee Report**

No significant fiscal implication to the State is anticipated.

The bill would require public and private postsecondary educational institutions to adopt a policy on campus sexual harassment, sexual assault, dating violence and stalking. Under provisions of the bill, each peace officer employed by a postsecondary educational institution must complete training on trauma-informed investigation into allegations of sexual harassment, sexual assault, dating violence, and stalking. The bill would require each postsecondary educational institution to designate a Title IX Coordinator. Under provisions of the bill, as part of the protocol for responding to reports of sexual harassment, sexual assault, dating violence, and stalking, each institution shall, to the greatest extent practicable based on the number of counselors employed by the institution, offer counseling provide by a counselor who does not provide counseling to any other person involved in the incident.

The bill would authorize the Higher Education Coordinating Board to assess an administrative penalty of up to \$2.0 million against an institution that failed to substantially comply with provisions of the bill. Under provisions of the bill, a postsecondary educational institution may not pay an administrative penalty using state or federal money. The bill would require the commissioner of higher education to establish an advisory committee.

Based on an analysis of responses from institutions of higher education and the Higher Education Coordinating Board, it is assumed duties and responsibilities associated with implementing provisions of the bill could be accomplished utilizing existing resources

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies: 710 Texas A&M University System Administrative and General Offices,
768 Texas Tech University System Administration, 769 University of
North Texas System Administration, 783 University of Houston System

Administration, 985 Tyler Junior College, 720 The University of Texas
System Administration, 758 Texas State University System, 781 Higher
Education Coordinating Board, 996 Lone Star College System

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