

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 86TH LEGISLATIVE REGULAR SESSION

April 30, 2019

TO: Honorable Brandon Creighton, Chair, Senate Committee on Higher Education

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.), **As Engrossed**

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 private or independent college or university may not pay an administrative penalty using state or federal money. The bill would require the commissioner of higher education to establish a training 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,
720 The University of Texas System Administration, 758 Texas State
University System, 768 Texas Tech University System Administration,
769 University of North Texas System Administration, 781 Higher
Education Coordinating Board, 783 University of Houston System

Administration, 996 Lone Star College System

LBB Staff: WP, JGAn, DEH, GO