

SENATE AMENDMENTS

2nd Printing

By: Talarico, Bernal, Ramos, Meyer, Morales

H.B. No. 3012

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the disposition of certain students to alternative
3 education settings and the provision of educational services to
4 students in those settings or subject to in-school or out-of-school
5 suspension.

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

7 SECTION 1. Section 37.005, Education Code, is amended by
8 adding Subsection (e) to read as follows:

9 (e) A school district shall provide to a student during the
10 period of the student's suspension under this section, regardless
11 of whether the student is placed in in-school or out-of-school
12 suspension, an alternative means of receiving all course work
13 provided in the classes in the foundation curriculum under Section
14 28.002(a)(1) that the student misses as a result of the suspension.
15 The district must provide at least one option for receiving the
16 course work that does not require the use of the Internet.

17 SECTION 2. Section 37.011(b), Education Code, is amended to
18 read as follows:

19 (b) If a student admitted into the public schools of a
20 school district under Section 25.001(b) is expelled from school for
21 conduct for which expulsion is required under Section 37.007(a),
22 (d), or (e), or for conduct that contains the elements of the
23 offense of terroristic threat under Section 22.07, Penal Code, the
24 juvenile court, the juvenile board, or the juvenile board's

1 designee, as appropriate, shall:

2 (1) if the student is placed on probation under
3 Section 54.04, Family Code, order the student to attend the
4 juvenile justice alternative education program in the county in
5 which the student resides from the date of disposition as a
6 condition of probation, unless the child is placed in a
7 post-adjudication treatment facility;

8 (2) if the student is placed on deferred prosecution
9 under Section 53.03, Family Code, by the court, prosecutor, or
10 probation department, require the student to immediately attend the
11 juvenile justice alternative education program in the county in
12 which the student resides for a period not to exceed six months as a
13 condition of the deferred prosecution;

14 (3) in determining the conditions of the deferred
15 prosecution or court-ordered probation, consider the length of the
16 school district's expulsion order for the student; and

17 (4) provide timely educational services to the student
18 in the juvenile justice alternative education program in the county
19 in which the student resides, regardless of the student's age or
20 whether the juvenile court has jurisdiction over the student.

21 SECTION 3. This Act applies beginning with the 2019-2020
22 school year.

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

ADOPTED

✓ ✓
MAY 22 2019

Henry Spaul
Secretary of the Senate

FLOOR AMENDMENT NO. 1

BY: *Zaffirini*

1 Amend H.B. 3012 (senate committee report) in SECTION 2 of the
2 bill, in amended Section 37.011(b), Education Code (page 1, line
3 42), by striking "under Section 22.07" and substituting "as
4 described by Section 22.07(c-1), (d), or (e)".

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 86TH LEGISLATIVE REGULAR SESSION

May 23, 2019

TO: Honorable Dennis Bonnen, Speaker of the House, House of Representatives

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

IN RE: HB3012 by Talarico (Relating to the disposition of certain students to alternative education settings and the provision of educational services to students in those settings or subject to in-school or out-of-school suspension.), **As Passed 2nd House**

No fiscal implication to the State is anticipated.

Local Government Impact

According to Texas Education Agency, school districts may incur additional costs related to providing alternative means of receiving all instruction provided in the classes the student misses because of the suspension.

Source Agencies: 701 Texas Education Agency

LBB Staff: WP, CPa, AM, PM, SD, HL

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 86TH LEGISLATIVE REGULAR SESSION

May 15, 2019

TO: Honorable Larry Taylor, Chair, Senate Committee on Education

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

IN RE: HB3012 by Talarico (Relating to the disposition of certain students to alternative education settings and the provision of educational services to students in those settings or subject to in-school or out-of-school suspension.), **As Engrossed**

No fiscal implication to the State is anticipated.

Local Government Impact

According to Texas Education Agency, school districts may incur additional costs related to providing alternative means of receiving all instruction provided in the classes the student misses because of the suspension.

Source Agencies: 701 Texas Education Agency

LBB Staff: WP, CPa, AM, PM, SD, HL

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 86TH LEGISLATIVE REGULAR SESSION
Revision 1

April 17, 2019

TO: Honorable Dan Huberty, Chair, House Committee on Public Education

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

IN RE: HB3012 by Talarico (Relating to requiring the provision of course work to public school students subject to in-school or out-of-school suspension.), **Committee Report 1st House, Substituted**

No fiscal implication to the State is anticipated.

Local Government Impact

According to Texas Education Agency, school districts may incur additional costs related to providing alternative means of receiving all instruction provided in the classes the student misses because of the suspension.

Source Agencies: 701 Texas Education Agency

LBB Staff: WP, CPa, AM, PM, SD, HL

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 86TH LEGISLATIVE REGULAR SESSION

April 14, 2019

TO: Honorable Dan Huberty, Chair, House Committee on Public Education

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

IN RE: HB3012 by Talarico (Relating to requiring the provision of course work to public school students subject to in-school or out-of-school suspension.), **Committee Report 1st House, Substituted**

No fiscal implication to the State is anticipated.

Local Government Impact

According to Texas Education Agency, school districts may incur additional costs related to providing alternative means of receiving all instruction provided in the classes the student misses because of the suspension.

Source Agencies: 701 Texas Education Agency

LBB Staff: WP, CPa, AM, PM, HL

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 86TH LEGISLATIVE REGULAR SESSION

April 8, 2019

TO: Honorable Dan Huberty, Chair, House Committee on Public Education

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

IN RE: HB3012 by Talarico (Relating to requiring the provision of instruction to public school students subject to in-school or out-of-school suspension.), **As Introduced**

No fiscal implication to the State is anticipated.

Local Government Impact

According to Texas Education Agency, school districts may incur additional costs related to providing alternative means of receiving all instruction provided in the classes the student misses because of the suspension.

Source Agencies: 701 Texas Education Agency

LBB Staff: WP, HL, AM, PM