

BILL ANALYSIS

S.B. 1371
By: Huffman
Higher Education
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Postsecondary educational institutions seeking to comply with legislation passed by the 86th Legislature regarding reporting requirements for incidents of sexual harassment, sexual assault, dating violence, or stalking have reported a potential conflict with other statutory provisions under which victims of such offenses may use a pseudonym when reporting applicable incidents. S.B. 1371 seeks to better harmonize these requirements by establishing that a victim reporting such an incident in the context of a Title IX process at a public or private institution of higher education may choose to do so using a pseudonym under applicable state law.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

S.B. 1371 amends the Education Code to require a campus peace officer employed by a postsecondary educational institution who receives information regarding an alleged incident of sexual harassment, sexual assault, dating violence, or stalking against an enrolled student or employee of the institution, in making the required report to the institution's Title IX coordinator or deputy Title IX coordinator, to state only the type of incident if the following conditions are met:

- the information is received from an alleged victim; and
- the informant chooses to complete a pseudonym form developed by the sexual assault prevention and crisis services program of the Office of the Attorney General for a victim of a sexual offense, stalking, family violence, or trafficking of persons, as applicable.

The bill prohibits the officer from including in a report made under those conditions the victim's name, phone number, address, or other information that may directly or indirectly reveal the victim's identity.

EFFECTIVE DATE

On passage, or, if the bill does not receive the necessary vote, September 1, 2021.