By:  Huffman S.B. No. 1371

(In the Senate - Filed March 10, 2021; March 18, 2021, read first time and referred to Committee on Jurisprudence; April 9, 2021, reported adversely, with favorable Committee Substitute by the following vote: Yeas 5, Nays 0; April 9, 2021, sent to printer.)

COMMITTEE VOTE

                    Yea Nay Absent  PNV

Huffman           X

Hinojosa             X

Creighton            X

Hughes               X

Johnson              X

COMMITTEE SUBSTITUTE FOR S.B. No. 1371 By:  Huffman

A BILL TO BE ENTITLED

AN ACT

relating to the reporting of certain incidents of sexual harassment, sexual assault, dating violence, or stalking at certain public or private institutions of higher education.

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

SECTION 1.  Section 51.252, Education Code, is amended by amending Subsection (b) and adding Subsection (c-1) to read as follows:

(b)  Except as provided by Subsection (c) or (c-1), the report must include all information concerning the incident known to the reporting person that is relevant to the investigation and, if applicable, redress of the incident, including whether an alleged victim has expressed a desire for confidentiality in reporting the incident.

(c-1)  A campus peace officer employed by a postsecondary educational institution who receives information regarding an incident described by Subsection (a) from an alleged victim who chooses to complete a pseudonym form described by Article 58.102, 58.152, 58.202, or 58.252, Code of Criminal Procedure, shall, in making a report under this section, state only the type of incident reported and may not include the victim's name, phone number, address, or other information that may directly or indirectly reveal the victim's identity.

SECTION 2.  Section 51.256(c), Education Code, is amended to read as follows:

(c)  Nothing in this section may be construed as prohibiting a victim from making a report to a law enforcement agency using a [~~the~~] pseudonym form described by Article 58.102, 58.152, 58.202, or 58.252 [~~57.02~~], Code of Criminal Procedure.

SECTION 3.  To the extent of any conflict, this Act prevails over another Act of the 87th Legislature, Regular Session, 2021, relating to nonsubstantive additions to and corrections in enacted codes.

SECTION 4.  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, 2021.

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