

**LEGISLATIVE BUDGET BOARD**

**Austin, Texas**

**FISCAL NOTE, 87TH LEGISLATIVE REGULAR SESSION**

**April 27, 2021**

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

**FROM:** Jerry McGinty, Director, Legislative Budget Board

**IN RE: SB1360** by Hughes (Relating to notice of a state or federal investigation of alleged criminal conduct by a student or a faculty member or other instructor of a public or private institution of higher education in this state; authorizing a civil penalty.), **As Introduced**

**No significant fiscal implication to the State is anticipated.**

The bill would amend the Education Code to require institutions of higher education to report on and notify state leadership of an investigation involving allegation of certain criminal conduct by students or faculty of an institution. The bill would require administrators or department heads of an institution who learn of an investigation to promptly report that information to the president of the university, and would require the president of the university to report that information to the secretary and presiding officer of the governing board of the institution. The bill would then require, not later than the 30th day after the governing board has been notified, that written notice of the investigation be provided to the lieutenant governor, speaker of the house of representatives, and each standing committee of the legislature with primary jurisdiction over higher education matters. The bill would authorize a civil penalty in an amount not to exceed \$20,000 for each violation of an institution's governing board failure to provide timely written notice. Revenue generated from the penalty would be deposited to the General Revenue Fund. Under provisions of the bill, the Office of the Attorney General (OAG) may investigate alleged violations and may sue to collect the civil penalty.

Institutions of higher education and the Office of the Attorney General indicate that any costs associated with the bill could be absorbed within existing resources. As the number of cases of noncompliance resulting in penalties is unknown, there may be an indeterminate amount of penalty revenue.

**Local Government Impact**

No fiscal implication to units of local government is anticipated.

**Source Agencies:** 212 Office of Court Admin, 302 Office of the Attorney General, 304 Comptroller of Public Accounts, 710 Texas A&M Univ System Admin, 720 UT Sys Admin, 758 Texas State University System, 768 Texas Tech Univ Sys Admin, 781 Higher Education Coordinating Board, 783 Univ of Houston Sys Admin

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