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| BILL ANALYSIS |

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| H.B. 4520 |
| By: Harris, Cody |
| Public Education |
| Committee Report (Unamended) |

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| **BACKGROUND AND PURPOSE**  Parents across the state have reported finding pornographic materials in school libraries and classrooms. Any educational personnel found to have provided harmful material to a minor should have their educator license revoked, lose their pension, and be placed on the Do Not Hire Registry. H.B. 4520 seeks to address this issue by adding the offense of selling, distributing, or displaying harmful material to a minor to the list of offenses which require the State Board of Educator Certification to revoke an educator license and report someone to the Do Not Hire Registry and which disqualify a person from receiving retirement benefits from the Teacher Retirement System. |
| **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**  H.B. 4520 amends the Code of Criminal Procedure, Education Code, and Government Code to apply the following provisions to a conviction of the offense of sale, distribution, or display of harmful material to a minor:   * beginning on or after the bill's effective date, the requirement for a clerk of the court to notify the State Board for Educator Certification (SBEC) of a conviction or deferred adjudication community supervision granted on the basis of the offense committed by a person who holds a public educator certificate, or, if the offense is committed by a person who is employed by a private school, to provide such notice to the chief administrative officer of the private school; * the requirements for the SBEC, upon receiving such notice from the clerk, to revoke the person's certificate and provide applicable notice of the revocation, and for the school district or open-enrollment charter school that receives notice from the SBEC to immediately remove the person from campus or from an administrative office, as applicable, to prevent the person from having any contact with a student and take certain action regarding the person's employment; and * the designation of a felony conviction of the offense as a qualifying felony for purposes of disqualifying a person who is a member or an annuitant of the Teacher Retirement System of Texas and is or was an employee of the public school system from receiving a service retirement annuity.   The designation as a qualifying felony applies only to an offense committed on or after the bill's effective date. The bill provides for the continuation of the law in effect before the bill's effective date for purposes of an offense, or any element thereof, that occurred before that date. |
| **EFFECTIVE DATE**  September 1, 2023. |