

BILL ANALYSIS

Senate Research Center
89R23528 JDK-D

C.S.S.B. 2392
By: King
Education K-16
4/8/2025
Committee Report (Substituted)

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Committee Substitute

- Adds a requirement that the principal notify the chief administrative officer of the school (i.e., the superintendent) in addition to law enforcement.
- Adds conduct that may constitute a criminal offense under Penal Code Section 21.12, Improper Relationship Between Educator and Student, to the added list of conduct for which a principal is required to report.
- Adds language requiring the chief administrative officer of the school to notify law enforcement of misconduct within 48 hours after becoming aware that the principal of the school has failed to report misconduct.
- Changes the period by which a principal must report misconduct to the chief administrative officer of the school and law enforcement from 72 hours, as established by the filed bill, to 48 hours to align the time period with Family Code Section 261.101, relating to the investigation of child abuse or neglect.
- Adds subsection (g) to authorize the Office of the Attorney General to sue to collect a civil penalty of \$1,000 for each day that a principal or a chief administrative officer of a school fails to report misconduct as required by the bill.
- Repeals Education Code Section 37.105(c), providing that a principal does not have to report misconduct that they reasonably believe does not constitute a crime.

C.S.S.B. 2392 amends current law relating to notice to local law enforcement of certain offenses occurring on public or private school property or at school-sponsored or school-related activities and provides a civil penalty.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 37.015, Education Code, by amending Subsection (a) and adding Subsections (a-1), (c-1), and (g), as follows:

(a) Requires the principal of a public or private primary or secondary school, or a person designated by the principal under Subsection (d) (relating to designating a school employee to make certain required reports), to notify the chief administrative officer of the school and any school district police department and the police department of the municipality in which the school is located or, if the school is not in a municipality, the sheriff of the county in which the school is located if the principal has reasonable grounds to believe that any of certain activities occur in school, on school property, or at a school-sponsored or school-related activity on or off school property, whether or not the activity is investigated by school security officers, including conduct that may constitute a criminal offense under certain sections of the Penal Code or conduct that may constitute a felony of the first degree under Section 22.04 (Injury to a Child, Elderly Individual, or Disabled Individual), Penal Code.

(a-1) Requires the chief administrative officer of a public or private primary or secondary school to notify the applicable law enforcement agency described by Subsection (a) regarding conduct described by that subsection immediately after becoming aware that the principal of the school or the principal's designee under Subsection (d) has failed to report the conduct as required by Subsection (a).

(c-1) Requires the principal of a public or private primary or secondary school or the principal's designee under Subsection (d), immediately after becoming aware of conduct described by Subsection (a), to provide the notice required by Subsection (a).

(g) Provides that a principal who fails to report or ensure the principal's designee under Subsection (d) has reported conduct as required by Subsection (a) not later than 48 hours after becoming aware of the conduct or a chief administrative officer who fails to report conduct as required by Subsection (a-1) not later than 48 hours after becoming aware that the principal or the principal's designee did not report the conduct is liable to the state for a civil penalty in the amount of \$1,000 for each day that the principal, principal's designee, or chief administrative officer fails to report conduct in accordance with Section 37.015 (Reports to Local Law Enforcement; Liability). Authorizes the attorney general to sue to collect a civil penalty under this subsection.

SECTION 2. Repealer: Section 37.015(c) (relating to providing that a notification is not required if the person reasonably believes that the activity does not constitute a criminal offense), Education Code.

SECTION 3. Makes application of this Act prospective.

SECTION 4. Effective date: September 1, 2025.