

By: Creighton

S.B. No. 1924

A BILL TO BE ENTITLED

AN ACT

relating to the enforcement of certain criminal offenses on school property

SECTION 1. Section 37.143, Education Code, is amended to read as follows:

Sec. 37.143. [~~CITATION PROHIBITED;~~] CUSTODY OF CHILD. [~~(a)~~]  
~~A peace officer, law enforcement officer, or school resource officer may not issue a citation to a child who is alleged to have committed a school offense.~~

[~~(b)~~] This subchapter does not prohibit a child from being taken into custody under Section 52.01, Family Code.

SECTION 2. Section 37.144, Education Code, is amended by amending Subsection (a) and adding Subsection (a-1) to read as follows:

(a) Except as provided by Subsection (a-1), a [A] school district that commissions peace officers under Section 37.081 may develop a system of graduated sanctions that the school district may require to be imposed on a child before a complaint is filed under Section 37.145 against the child for a school offense that is an offense under Section 37.124 or 37.126 or under Section 42.01(a)(1), (2), (3), (4), or (5), Penal Code. A system adopted under this section must include multiple graduated sanctions. The system may require:

- (1) a warning letter to be issued to the child and the

1 child's parent or guardian that specifically states the child's  
2 alleged school offense and explains the consequences if the child  
3 engages in additional misconduct;

4 (2) a behavior contract with the child that must be  
5 signed by the child, the child's parent or guardian, and an employee  
6 of the school and that includes a specific description of the  
7 behavior that is required or prohibited for the child and the  
8 penalties for additional alleged school offenses, including  
9 additional disciplinary action or the filing of a complaint in a  
10 criminal court;

11 (3) the performance of school-based community service  
12 by the child; and

13 (4) the referral of the child to counseling,  
14 community-based services, or other in-school or out-of-school  
15 services aimed at addressing the child's behavioral problems.

16 (a-1) A school district may not adopt a system of graduated  
17 sanctions before filing a complaint under Section 37.145 against a  
18 child for a school offense if the conduct that constituted the  
19 offense:

20 (1) posed an imminent threat to a teacher's safety; or

21 (2) resulted in physical harm to a teacher.

22 SECTION 5. Section 37.145, Education Code, is amended to  
23 read as follows:

24 Sec. 37.145. CITATION OR COMPLAINT. If a child is alleged  
25 to have committed a school offense:

26 (1) a peace officer, law enforcement officer, or  
27 school resource officer may issue a citation to the child; or

1           (2) [~~If a child fails to comply with or complete~~  
2 ~~graduated sanctions under Section 37.144, or if the school district~~  
3 ~~has not elected to adopt a system of graduated sanctions under that~~  
4 ~~section,~~] the school may file a complaint against the child with a  
5 criminal court in accordance with Section 37.146, if:

6                   (A) the child fails to comply with or complete  
7 graduated sanctions under Section 37.144; or

8                   (B) the school district has not elected to adopt  
9 a system of graduated sanctions under Section 37.144.

10           (3) the school shall file a complaint against the  
11 child with a criminal court in accordance with Section 37.146, if:

12                   (A) the school district may not impose graduated  
13 sanctions under 37.144(a-1).

14           SECTION 3. The change in law made by this Act applies only  
15 to an offense committed on or after the effective date of this Act.  
16 An offense committed before the effective date of this Act is  
17 governed by the law in effect on the date the offense was committed,  
18 and the former law is continued in effect for that purpose. For  
19 purposes of this section, an offense was committed before the  
20 effective date of this Act if any element of the offense occurred  
21 before that date.

22           SECTION 4. This Act takes effect September 1, 2025.