

BILL ANALYSIS

Senate Research Center
78R9274 JRJ-F

H.B. 2117
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Education
5/22/2003
Engrossed

DIGEST AND PURPOSE

Under current Texas law, higher education institutions have unclear guidelines on how to deal with specific individuals who may be a significant threat to human life on campus. High schools have the authority to remove from the campus students who may be a threat. H.B. 2117 grants the chief administrative officer of an institution of higher education the power to remove from campus a student or employee who is determined to be a substantial and material threat to human life.

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 Subchapter Z, Chapter 51, Education Code, by adding Section 51.9365, as follows:

Sec. 51.9365. PROTECTION FROM ACTS OF VIOLENCE BY STUDENTS AND EMPLOYEES. (a) Requires the president or other chief executive officer of an institution of higher education, as defined by Section 61.003, to provide for the identification of a student or employee who constitutes a substantial threat to human life on the campus or other facility of the institution.

(b) Provides that a student or employee who is determined to be a substantial threat to another student or employee under this section may be removed from the campus or facility.

(c) Requires an institution of higher education to establish procedures under this section for the filing of complaints or reports by students and employees of persons who may constitute a substantial threat to human life and for the removal of a student or employee from the campus or facility.

(d) Requires the procedures established under this section to ensure due process rights for all persons under applicable state and federal law, and, as appropriate, ensure adequate confidentiality of records.

SECTION 2. Effective date: September 1, 2003.