

## **BILL ANALYSIS**

Senate Research Center  
80R4195 SLO-D

H.B. 278  
By: Madden et al. (Hinojosa)  
Criminal Justice  
5/17/2007  
Engrossed

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

Under Section 37.102 (Rules; Penalty), Education Code, the board of trustees of a school district is authorized to adopt rules for the safety and welfare of students, employees, and property. Under current law, violations of such rules are Class C misdemeanors.

Subsequent to enactment of these provisions, certain districts have chosen to prosecute students in municipal and justice courts for breaking school policy for minor infractions such as tardiness and chewing gum. Where this has occurred, it has unnecessarily burdened the municipal and justice courts with cases that do not belong in the judicial system. If a student is found guilty, the student receives a criminal record for breaking a school policy.

H.B. 278 provides that only a violation of adopted rules providing for the operation and parking of vehicles on school property is a criminal offense.

### **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 37.102(c), Education Code, to provide that a person who violates any rule adopted under this subchapter providing for the operation and parking of vehicles on school property commits an offense, which is a Class C misdemeanor. Deletes existing text relating to violations of this subchapter (Protection of Buildings and Grounds).

SECTION 2. Effective date: September 1, 2007.