

BILL ANALYSIS

Senate Research Center
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H.B. 1224
By: Reynolds (Huffman)
Education
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Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Currently, school districts are not able to expel students who engage in conduct involving school owned computers, computer networks, and computer systems. School districts may only discipline this type of conduct through the removal of the student to a Disciplinary Alternative Education Program even though this is a serious violation of district security.

H.B. 1224 permits school districts to expel a student if a student engages in conduct that contains the elements of the offense of breach of computer security and that the student knowingly alters, damages, or deletes school district property or information or commits a breach of any other computer, computer network, or computer system.

H.B. 1224 amends current law relating to expulsion of a public school student who commits certain criminal acts involving a computer, computer network, or computer system owned by or operated on behalf of a school district.

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 37.007(b), Education Code, to authorize a student expulsion if the student, among other acts, engages in conduct that contains the elements of the offense of breach of computer security under Section 33.02 (Breach of Computer Security), Penal Code, if the conduct involves accessing a computer, computer network, or computer system owned by or operated on behalf of a school district, and the student knowingly alters, damages, or deletes school district property information, or commits a breach of any other computer, computer network, or computer system.

SECTION 2. Makes application of Section 37.007(b)(5), Education Code, as added by this Act, prospective.

SECTION 3. Effective date: upon passage or September 1, 2011.