

1-1 By: Kacal, et al. (Senate Sponsor - Hancock) H.B. No. 2629
1-2 (In the Senate - Received from the House May 4, 2015;
1-3 May 5, 2015, read first time and referred to Committee on Higher
1-4 Education; May 21, 2015, reported favorably by the following vote:
1-5 Yeas 6, Nays 0; May 21, 2015, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7 Seliger	X			
1-8 West	X			
1-9 Bettencourt	X			
1-10 Burton	X			
1-11 Menéndez			X	
1-12 Perry	X			
1-13 Watson	X			

1-15 A BILL TO BE ENTITLED
1-16 AN ACT

1-17 relating to unauthorized persons at public or private institutions
1-18 of higher education in this state and to trespass, damage, or
1-19 defacement occurring on the grounds of those institutions; amending
1-20 provisions subject to a criminal penalty and creating offenses.

1-21 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-22 SECTION 1. The heading to Section 51.202, Education Code,
1-23 is amended to read as follows:

1-24 Sec. 51.202. RULES AND REGULATIONS[; PENALTY].

1-25 SECTION 2. Section 51.204, Education Code, is amended to
1-26 read as follows:

1-27 Sec. 51.204. TRESPASS, DAMAGE, DEFACEMENT [ETC]. (a) In
1-28 this section, "institution of higher education" and "private or
1-29 independent institution of higher education" have the meanings
1-30 assigned by Section 61.003.

1-31 (b) It is unlawful for any person to:

1-32 (1) trespass on the grounds of an [any state]
1-33 institution of higher education or of a private or independent
1-34 institution of higher education; [of this state] or

1-35 (2) damage or deface [to damage or deface] any of the
1-36 buildings, statues, monuments, memorials, trees, shrubs, grasses,
1-37 or flowers on the grounds of an institution [any state
1-38 institutions] of higher education or of a private or independent
1-39 institution of higher education.

1-40 SECTION 3. Section 51.208, Education Code, is amended to
1-41 read as follows:

1-42 Sec. 51.208. PENALTY; COURTS HAVING JURISDICTION. (a) In
1-43 this section, "institution of higher education" and "private or
1-44 independent institution of higher education" have the meanings
1-45 assigned by Section 61.003.

1-46 (b) A person who violates any provision of this subchapter
1-47 or any rule or regulation promulgated under this subchapter commits
1-48 an offense. An offense under this subsection is a misdemeanor
1-49 punishable by a fine of not more than \$200.

1-50 (c) The judge of a municipal court or any justice of the
1-51 peace of any city or county where property under the control and
1-52 jurisdiction of an [a state] institution of higher education or of a
1-53 private or independent institution of higher education is located
1-54 is each separately vested with all jurisdiction necessary to hear
1-55 and determine criminal cases involving violations of this
1-56 subchapter or rules or regulations promulgated under this
1-57 subchapter for which the punishment does not exceed a fine of \$200.

1-58 SECTION 4. Section 51.209, Education Code, is amended to
1-59 read as follows:

1-60 Sec. 51.209. UNAUTHORIZED PERSONS; REFUSAL OF ENTRY,
1-61 EJECTION, IDENTIFICATION. (a) In this section, "institution of

2-1 higher education" and "private or independent institution of higher
2-2 education" have the meanings assigned by Section 61.003.
2-3 (b) The governing board of an [a state] institution of
2-4 higher education or a private or independent institution of higher
2-5 education or the governing board's [its] authorized
2-6 representatives may refuse to allow persons having no legitimate
2-7 business to enter on property under the board's control, and may
2-8 eject any undesirable person from the property on the person's
2-9 [his] refusal to leave peaceably on request. Identification may be
2-10 required of any person on the property, and the person must provide
2-11 that identification on request.
2-12 SECTION 5. Section 51.202(b), Education Code, is repealed.
2-13 SECTION 6. This Act takes effect September 1, 2015.

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