

1-1 By: Watson, Zaffirini S.B. No. 970
1-2 (In the Senate - Filed February 21, 2017; March 1, 2017,
1-3 read first time and referred to Committee on State Affairs;
1-4 April 5, 2017, reported adversely, with favorable Committee
1-5 Substitute by the following vote: Yeas 9, Nays 0; April 5, 2017,
1-6 sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8				
1-9	Huffman	X		
1-10	Hughes	X		
1-11	Birdwell	X		
1-12	Creighton	X		
1-13	Estes	X		
1-14	Lucio	X		
1-15	Nelson	X		
1-16	Schwertner	X		
1-17	Zaffirini	X		

1-18 COMMITTEE SUBSTITUTE FOR S.B. No. 970 By: Zaffirini

1-19 A BILL TO BE ENTITLED
1-20 AN ACT

1-21 relating to a sexual assault policy at public and private
1-22 institutions of higher education.

1-23 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-24 SECTION 1. Section 51.9363, Education Code, is amended to
1-25 read as follows:

1-26 Sec. 51.9363. [~~CAMPUS~~] SEXUAL ASSAULT POLICY. (a) In this
1-27 section, "postsecondary educational institution" means an
1-28 [~~"]~~institution of higher education or a private or independent
1-29 institution of higher education, as those terms are defined [~~"~~ has
1-30 ~~the meaning assigned~~] by Section 61.003.

1-31 (b) Each postsecondary educational institution [~~of higher~~
1-32 ~~education~~] shall adopt a policy on [~~campus~~] sexual assault
1-33 applicable to each student enrolled at and each employee of the
1-34 institution. The policy must:

1-35 (1) include:

1-36 (A) definitions of prohibited behavior;

1-37 (B) sanctions for violations; and

1-38 (C) the protocol for reporting and responding to
1-39 reports of [~~campus~~] sexual assault; and

1-40 (2) be approved by the institution's governing board
1-41 before final adoption by the institution.

1-42 (c) Each postsecondary educational institution [~~of higher~~
1-43 ~~education~~] shall make the institution's [~~campus~~] sexual assault
1-44 policy available to students, faculty, and staff members by:

1-45 (1) including the policy in the institution's student
1-46 handbook and personnel handbook; and

1-47 (2) creating and maintaining a web page on the
1-48 institution's Internet website dedicated solely to the policy.

1-49 (d) Each postsecondary educational institution [~~of higher~~
1-50 ~~education~~] shall require each entering freshman or undergraduate
1-51 transfer student to attend an orientation on the institution's
1-52 [~~campus~~] sexual assault policy before or during the first semester
1-53 or term in which the student is enrolled at the institution. The
1-54 institution shall establish the format and content of the
1-55 orientation.

1-56 (e) Each postsecondary educational institution shall
1-57 develop and implement a public awareness campaign to inform
1-58 students enrolled at and employees of the institution of the
1-59 institution's sexual assault policy.

1-60 (f) Each biennium, each postsecondary educational

2-1 institution [~~of higher education~~] shall review the institution's
2-2 [~~campus~~] sexual assault policy and, with approval of the
2-3 institution's governing board, revise the policy as necessary.

2-4 SECTION 2. Section 51.9363, Education Code, as amended by
2-5 this Act, applies beginning with the 2017 fall semester.

2-6 SECTION 3. This Act takes effect immediately if it receives
2-7 a vote of two-thirds of all the members elected to each house, as
2-8 provided by Section 39, Article III, Texas Constitution. If this
2-9 Act does not receive the vote necessary for immediate effect, this
2-10 Act takes effect September 1, 2017.

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