

1-1 By: Zaffirini S.B. No. 36
 1-2 (In the Senate - Filed November 9, 2020; March 3, 2021, read
 1-3 first time and referred to Committee on Criminal Justice;
 1-4 April 6, 2021, reported adversely, with favorable Committee
 1-5 Substitute by the following vote: Yeas 6, Nays 0; April 6, 2021,
 1-6 sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8				
1-9	X			
1-10	X			
1-11	X			
1-12	X			
1-13	X			
1-14	X			
1-15			X	

1-16 COMMITTEE SUBSTITUTE FOR S.B. No. 36 By: Whitmire

1-17 A BILL TO BE ENTITLED
 1-18 AN ACT

1-19 relating to the offense of hazing.
 1-20 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:
 1-21 SECTION 1. Section 37.152(a), Education Code, is amended to
 1-22 read as follows:
 1-23 (a) A person commits an offense if the person:
 1-24 (1) engages in hazing;
 1-25 (2) solicits, encourages, directs, aids, or attempts
 1-26 to aid another in engaging in hazing;
 1-27 (3) recklessly permits hazing to occur; or
 1-28 (4) has firsthand knowledge of the planning of a
 1-29 specific hazing incident involving a student in an educational
 1-30 institution, or has firsthand knowledge that a specific hazing
 1-31 incident has occurred, and knowingly fails to report that knowledge
 1-32 [~~in writing~~] to the dean of students or other appropriate official
 1-33 of the institution, a peace officer, or a law enforcement agency.
 1-34 SECTION 2. Section 37.155(b), Education Code, is amended to
 1-35 read as follows:
 1-36 (b) Any person, including an entity organized to support an
 1-37 organization, who voluntarily reports a specific hazing incident
 1-38 involving a student in an educational institution to the dean of
 1-39 students or other appropriate official of the institution, a peace
 1-40 officer, or a law enforcement agency is immune from civil or
 1-41 criminal liability that might otherwise be incurred or imposed as a
 1-42 result of the reported hazing incident if the person:
 1-43 (1) reports the incident before being contacted by the
 1-44 institution or a law enforcement agency concerning the incident or
 1-45 otherwise being included in the institution's or a law enforcement
 1-46 agency's investigation of the incident; and
 1-47 (2) [as determined by the dean of students or other
 1-48 appropriate official of the institution designated by the
 1-49 institution,] cooperates in good faith throughout:
 1-50 (A) any institutional process regarding the
 1-51 incident, as determined by the dean of students or other
 1-52 appropriate official of the institution designated by the
 1-53 institution; or
 1-54 (B) any law enforcement agency's investigation
 1-55 regarding the incident, as determined by the chief or other
 1-56 appropriate official of the law enforcement agency designated by
 1-57 the law enforcement agency.
 1-58 SECTION 3. The change in law made by this Act applies only
 1-59 to an offense committed on or after the effective date of this Act.
 1-60 An offense committed before the effective date of this Act is

2-1 governed by the law in effect when the offense was committed, and
2-2 the former law is continued in effect for that purpose. For purposes
2-3 of this section, an offense was committed before the effective date
2-4 of this Act if any element of the offense was committed before that
2-5 date.

2-6 SECTION 4. Section 37.155, Education Code, as amended by
2-7 this Act, applies only to a civil cause of action that accrues on or
2-8 after the effective date of this Act. An action that accrued before
2-9 the effective date of this Act is governed by the law in effect at
2-10 the time the action accrued, and that law is continued in effect for
2-11 that purpose.

2-12 SECTION 5. This Act takes effect September 1, 2021.

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