

## LEGISLATIVE BUDGET BOARD

Austin, Texas

### FISCAL NOTE, 85TH LEGISLATIVE REGULAR SESSION

April 29, 2017

**TO:** Honorable Dan Huberty, Chair, House Committee on Public Education

**FROM:** Ursula Parks, Director, Legislative Budget Board

**IN RE:** **HB306** by Minjarez (Relating to harassment, bullying, and cyberbullying of a public school student or minor and certain mental health programs for public school students.), **Committee Report 1st House, Substituted**

**No significant fiscal implication to the State is anticipated.**

The bill would amend Education Code provisions regarding bullying to include cyberbullying; to specify the placement or expulsion of certain students, and to specify certain continuing education for teachers and principals. The bill would amend the Health and Safety Code to expand the list of certain procedures that school districts must develop. The bill would require the Texas Education Agency to maintain a website with resources related to student mental health needs. The bill would amend the Civil Practice and Remedies Code to specify injunctive relief for certain victims of cyberbullying, and to require the Texas Supreme Court to promulgate forms for the application for injunctive relief. The bill would also amend the Penal Code to include certain actions within the offense of harassment.

The Texas Education Agency and the Office of Court Administration report that the bill could be implemented with existing resources.

The bill would take effect September 1, 2017.

#### **Local Government Impact**

School districts and open-enrollment charter schools could incur costs to adopt cyberbullying and reporting policies and develop procedures. The requirement for counselors to serve as impartial resources for interpersonal conflicts and discord may result in the need for additional counselor training and staff time. The Texas Education Agency estimates these provisions could be implemented at minimal local cost, and that costs will vary depending on the size of the district and current policies and practices.

A Class A misdemeanor is punishable by a fine of not more than \$4,000, confinement in jail for a term not to exceed one year, or both. Costs associated with enforcement, prosecution, and confinement could likely be absorbed within existing resources. Revenue gain from fines imposed and collected is not anticipated to have a significant fiscal implication.

No significant fiscal impact on the local courts is anticipated.

**Source Agencies:** 212 Office of Court Administration, Texas Judicial Council, 701 Texas Education Agency

**LBB Staff:** UP, THo, AM, RSt