

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 85TH LEGISLATIVE REGULAR SESSION**

**May 26, 2017**

**TO:** Honorable Dan Patrick, Lieutenant Governor, Senate  
Honorable Joe Straus, Speaker of the House, House of Representatives

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

**IN RE:** SB179 by Menéndez (Relating to harassment, bullying, and cyberbullying of a public school student or minor and certain mental health programs for public school students; increasing a criminal penalty.), **Conference Committee Report**

<p><b>No significant fiscal implication to the State is anticipated.</b></p>
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The bill would amend Education Code provisions regarding bullying to include cyberbullying; to allow school districts to establish a districtwide policy related to bullying prevention and mediation; to specify the placement or expulsion of certain students; and to specify reports school principals may make to local law enforcement. The bill would allow continuing education requirements for classroom teachers and principals to include instruction related to grief-informed and trauma-informed strategies. The bill would require the Texas Education Agency (TEA) to maintain a website with resources related to student mental health needs. The bill would amend the Health and Safety Code to expand the list of certain procedures that school districts may develop. The bill would amend the Civil Practice and Remedies Code to specify relief for cyberbullying of a child, and to require that the Texas Supreme Court promulgate forms for use as an application for injunctive relief in suits relating to cyberbullying. The bill would also amend the Penal Code to include certain actions within the offense of harassment.

No significant fiscal impact on the state court system is anticipated. This analysis assumes the provisions of the bill addressing sanctions for criminal offenses would not result in a significant impact on state correctional agencies.

It is anticipated that the Texas Education Agency and the Office of Court Administration could implement the bill with existing resources.

**Local Government Impact**

School districts and open-enrollment charter schools may incur costs to adopt cyberbullying and reporting policies. The requirement for counselors to serve as resources 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, JPo, JGA, AG, AW