

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL MEMORANDUM

SB 264 – HB 966

March 29, 2013

SUMMARY OF ORIGINAL BILL: Requires students to be suspended for assaulting a teacher, principal, school bus driver, or other school personnel with vulgar, threatening, or obscene language, or for violence or threatened violence against such personnel, upon the conclusion of an investigation pursuant to Tenn. Code Ann. § 49-6-3401(c).

FISCAL IMPACT OF ORIGINAL BILL:

NOT SIGNIFICANT

SUMMARY OF AMENDMENTS (004373, 005603): Amendment 004373 deletes all language after the enacting clause. Authorizes a student to be suspended for intentionally or knowingly causing physical contact with any personnel attending or assigned to a public school that could be regarded as extremely offensive or provocative or threatened violence against such personnel at any time, on or away from school property. Authorizes a student to be suspended for using vulgar, obscene, or threatening language toward a principal, teacher, school bus driver, or other personnel at any time, on or away from school property. Requires suspension for knowingly or recklessly causing injury to a principal, teacher, school bus driver or any school personnel, at any time, on or away from school property. Any suspensions may begin after the conclusion of an investigation pursuant to Tenn. Code Ann. § 49-6-3401(c). Prohibits readmission to the school following the suspension period, unless the student's parent or legal guardian meets with the principal or their designee.

Amendment 005603 amends Section 2 of Amendment 004373 by deleting and replacing language in subdivision (a)(9) that authorizes a student to be suspended for using obscene language or language that intentionally or knowingly causes an individual to be reasonably in fear of imminent bodily injury, when such language is directed at a principal, teacher, school bus driver, or other school personnel at any time, on or away from school property. The amendment also adds a severability clause.

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FISCAL IMPACT OF BILL WITH PROPOSED AMENDMENT:

Unchanged from the original fiscal note.

Assumptions for the bill as amended:

- All local education agencies currently have behavior and discipline policies for all grades. Any fiscal impact to local governments as a result of adding these requirements to existing policies is estimated to be not significant.
- Any increase in the number of teachers or other personnel at alternative schools or programs is estimated to be not significant. Any increase in local government expenditures will be not significant

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.



Lucian D. Geise, Executive Director

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