

Safe and Supportive Schools



HB 114

Relating to the possession, use, or delivery of marihuana or e-cigarettes on or near public school property at certain school events.

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Bill Summary:

[House Bill 114](#) (HB 114) amends statute to replace the disciplinary action for using, possessing, being under the influence of marihuana or tetrahydrocannabinol (THC), or selling, giving, or delivering marihuana or THC to another person on school property or at a school related activity on school property, from a mandatory expulsion to a mandatory placement at a Disciplinary Alternative Education Placement (DAEP) . HB 114 requires an administrator to place a student in in-school suspension (ISS) for aforementioned conducts if a DAEP is at capacity or if a place is needed in DAEP for a student who commits a violent act. If a student is removed from a DAEP and placed in ISS for the above conducts, the student must be returned to a DAEP to finish the term of placement if a position becomes available.

Additionally, HB 114 removes mandatory expulsion for the offense of felony level alcohol behavior.

This bill also creates a mandatory DAEP placement for possessing, using, selling, or delivering an e-cigarette. A district may provide a student and the student's parents a program of educational and support services for offenses involving e-cigarettes.

Impact of Legislation

Effective Date

- September 1, 2023

Rulemaking

- The Commissioner of Education shall adopt rules to define behaviors under §37.007 that constitute violent conduct.

Other Actions Required

- No additional TEA actions are required to implement this bill.

