

SENATE COMMITTEE AMENDMENTS

2019 Regular Session

Amendments proposed by Senate Committee on Education to Engrossed House Bill No. 193
by Representative Bacala

1 AMENDMENT NO. 1

2 On page 1, line 2, after "reenact" delete the remainder of the line and insert the following:

3 "R.S. 17:409.2, 409.3(A)(2), 409.4(A) and (B)(introductory paragraph), and
4 409.5(A)(1), relative to school safety; to revise procedures"

5 AMENDMENT NO. 2

6 On page 1, line 7, after "school;" and before "and to" insert "to provide for the appropriate
7 court for filing the petition; to provide for definitions;"

8 AMENDMENT NO. 3

9 On page 1, line 10, after "Section 1." delete the remainder of the line and insert the
10 following:

11 "R.S. 17:409.2, 409.3(A)(2), 409.4(A) and (B)(introductory paragraph), and
12 409.5(A)(1) are hereby amended and reenacted to read as follows:"

13 AMENDMENT NO. 4

14 On page 1, between lines 10 and 11, insert the following:

15 "§409.2. Definitions

16 For the purposes of this Subpart:

17 (1) The term "credible and imminent" means that the available facts,
18 when viewed in light of surrounding circumstances, would cause a
19 reasonable person to believe that the person communicating the threat
20 actually intends to carry out the threat in the near future or has the apparent
21 ability to carry out the threat in the near future.

22 ~~(1)~~(2) The term "school" shall have the meaning ascribed to it by
23 R.S. 17:236.

24 (3) The term "student" means any person registered or enrolled at a
25 school.

26 ~~(2)~~(4) The term "threat of violence" means communication, whether
27 oral, visual, or written, including but not limited to electronic mail, letters,
28 notes, social media posts, text messages, blogs, or posts on any social
29 networking website, of any intent to kill, maim, or cause great bodily harm
30 to a student, teacher, principal, or school employee on school property or at
31 any school function.

32 ~~(3)~~(5) The term "threat of terrorism" means communication, whether
33 oral, visual, or written, including but not limited to electronic mail, letters,
34 notes, social media posts, text messages, blogs, or posts on any social
35 networking website, of any crime of violence that would reasonably cause
36 any student, teacher, principal, or school employee to be in sustained fear for
37 his safety, cause the evacuation of a building, or cause other serious
38 disruption to the operation of a school.

39 §409.3. Mandatory reporting

40 A. Any administrator, teacher, counselor, bus operator, or other
41 school employee, whether full-time or part-time, who learns of a threat of
42 violence or threat of terrorism, whether through oral communication, written
43 communication, or electronic communication, shall:

44 * * *

1 (2) Immediately report the threat to school administrators for further
2 investigation, in compliance with ~~Subsection C of this Section~~ the policy
3 adopted pursuant to R.S. 17:409.4, if the threat does not meet the standard of
4 reasonable belief provided for in Paragraph (1) of this Subsection.

5 * * *

6 §409.4. ~~Threat assessment~~ Investigation of threats of violence or threats of
7 terrorism

8 A.(1) Each public school governing authority shall develop and
9 adopt a policy for the investigation of ~~potential~~ threats of violence or threats
10 of terrorism that have been reported to a school administrator, which shall
11 include conducting an interview with the person reporting a threat, the person
12 allegedly making a threat, and all witnesses, and securing any evidence,
13 including but not limited to statements, writings, recordings, electronic
14 messages, and photographs.

15 (2) If the investigation results in evidence or information that ~~raises~~
16 supports a concern reasonable belief that a threat is credible and imminent,
17 the threat shall be immediately reported to a local law enforcement agency.

18 B. Any law enforcement agency receiving ~~any~~ notification ~~that~~
19 ~~alleges a~~ of an alleged threat of violence or threat of terrorism under this
20 Subpart shall:

21 * * *"

22 AMENDMENT NO. 5

23 On page 1, at the beginning of line 12, change "A.(1)" to "A.(1)(a)"

24 AMENDMENT NO. 6

25 On page 2, between lines 2 and 3, insert the following:

26 "(b) The appropriate judicial district court, for purposes of this
27 Section, is either the district court having jurisdiction in the place where the
28 school that is the subject of the threat is located or the district court having
29 jurisdiction in the place where the student resides."