



(ii) an alcoholic beverage or liquor in an amount that would lead a reasonable person to believe that the student is intoxicated, as defined by Section [49.01](#), Penal Code.

**Sec. 37.152. Personal Hazing Offense**

A person commits an offense if the person:

- (1) engages in hazing;
  - (2) solicits, encourages, directs, aids, or attempts to aid another in engaging in hazing;
  - (3) recklessly permits hazing to occur; or
  - (4) has firsthand knowledge of the planning of a specific hazing incident involving a student in an educational institution, or has firsthand knowledge that a specific hazing incident has occurred, and knowingly fails to report that knowledge in writing to the dean of students or other appropriate official of the institution.
- (b) The offense of failing to report is a Class B misdemeanor.
- (c) Any other offense under this section that does not cause serious bodily injury to another is a Class B misdemeanor.
- (d) Any other offense under this section that causes serious bodily injury to another is a Class A misdemeanor.
- (e) Any other offense under this section that causes the death of another is a state jail felony.
- (f) Except if an offense causes the death of a student, in sentencing a person convicted of an offense under this section, the court may require the person to perform community service, subject to the same conditions imposed on a person placed on community supervision under Chapter [42A](#), Code of Criminal Procedure, for an appropriate period of time in lieu of confinement in county jail or in lieu of a part of the time the person is sentenced to confinement in county jail.

**Sec. 37.153. Organization Hazing Offense**

- (a) An organization commits an offense if the organization condones or encourages hazing or if an officer or any combination of members, pledges, or alumni of the organization

**Sec. 37.154. Consent Not a Defense**

It is not a defense to prosecution of an offense under this subchapter that the person against whom the hazing was directed consented to or acquiesced in the hazing activity.

**Sec. 37.155. Immunity from Prosecution or Civil Liability Available**

- (a) In the prosecution of an offense under this subchapter, the court may grant immunity from prosecution for the offense to each person who is subpoenaed to testify for the prosecution and who does testify for the prosecution.
- (b) Any person who voluntarily reports a specific hazing incident involving a student in an educational institution to the dean of students or other appropriate official of the institution is immune from civil or criminal liability that might otherwise be incurred or imposed as a result of the reported hazing incident if the person:
  - (1) reports the incident before being contacted by the institution concerning the incident or otherwise being included in the institution's investigation of the incident; and
  - (2) as determined by the dean of students or other appropriate official of the institution designated by the institution, cooperates in good faith throughout any institutional process regarding the incident.
- (c) Immunity under Subsection (b) extends to participation in any judicial proceeding resulting from the report.
- (d) A person is not immune under Subsection (b) if the person:
  - (1) reports the person's own act of hazing; or
  - (2) reports an incident of hazing in bad faith or with malice.

**Sec. 37.156. Offenses in Addition to Other Penal Provisions**

This subchapter does not affect or repeal any penal law of this state. This subchapter does not limit or affect the right of an educational institution to enforce its own penalties against hazing.

**Sec. 37.157. Reporting by Medical Authorities**

A doctor or other medical practitioner who treats a student who may have been subjected to hazing activities:

- (1) may report the suspected hazing activities to police or other law enforcement officials; and
- (2) is immune from civil or other liability that might otherwise be imposed or incurred as a result of the report, unless the report is made in bad faith or with malice.

**Sec. 37.158. Venue**

