

By: Reynolds

H.B. No. 2778

A BILL TO BE ENTITLED

1 AN ACT
2 relating to the model training curriculum and required training for
3 school district peace officers and school resource officers,
4 including the establishment of a grant program to assist officers
5 in completing the training, and to instruction for public high
6 school students about interacting with law enforcement.

7 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

8 SECTION 1. Section 28.012(b), Education Code, is amended to
9 read as follows:

10 (b) The board and the commission shall enter into a
11 memorandum of understanding that establishes each agency's
12 respective responsibilities in developing instruction, including
13 curriculum and instructional modules, on proper interaction with
14 peace officers during traffic stops and other in-person encounters.
15 The instruction must include information regarding:

16 (1) the role of law enforcement and the duties and
17 responsibilities of peace officers;

18 (2) a person's rights concerning interactions with
19 peace officers;

20 (3) proper behavior for civilians and peace officers
21 during interactions, including the scope of a peace officer's
22 authority to use force against a civilian;

23 (4) laws regarding questioning and detention by peace
24 officers, including any law requiring a person to present proof of

1 identity to a peace officer, and the consequences for a person's or
2 officer's failure to comply with those laws; ~~and~~

3 (5) how and where to file a complaint against or a
4 compliment on behalf of a peace officer; and

5 (6) career opportunities in law enforcement.

6 SECTION 2. Section 28.025(b-20), Education Code, is amended
7 to read as follows:

8 (b-20) The State Board of Education shall adopt rules to
9 include the instruction developed under Section 28.012 in one or
10 more courses in the required curriculum for students in grade
11 levels 9 through 12. The instruction must be at least three hours in
12 duration and may be provided by a school district peace officer or
13 school resource officer, regardless of whether the officer holds a
14 certificate issued under Subchapter B, Chapter 21.

15 SECTION 3. Section 37.0812, Education Code, is amended by
16 amending Subsection (b) and adding Subsection (c) to read as
17 follows:

18 (b) A school district that commissions a school district
19 peace officer or at which a school resource officer provides law
20 enforcement shall adopt a policy requiring the officer to complete
21 the education and training program required by Section 1701.263,
22 Occupations Code, before the peace officer is commissioned or
23 before the school resource officer commences providing law
24 enforcement at the district, as applicable.

25 (c) From funds appropriated or available for purposes of
26 this section, the commissioner shall establish a grant program to
27 provide funding for school district peace officers and school

1 resource officers to complete the education and training program
2 required under Subsection (b).

3 SECTION 4. Section 1701.262(c), Occupations Code, is
4 amended to read as follows:

5 (c) The curriculum developed under this section must
6 incorporate learning objectives regarding:

7 (1) child and adolescent development and psychology;

8 (2) positive behavioral interventions and supports,
9 conflict resolution techniques, and restorative justice
10 techniques;

11 (3) de-escalation techniques and techniques for
12 limiting the use of force, including the use of physical,
13 mechanical, and chemical restraints;

14 (4) the mental and behavioral health needs of children
15 with disabilities or special needs; ~~and~~

16 (5) mental health crisis intervention;

17 (6) gang mentality;

18 (7) implicit bias; and

19 (8) juvenile law and procedure.

20 SECTION 5. Section 1701.263(b), Occupations Code, is
21 amended to read as follows:

22 (b) The commission by rule shall require a school district
23 peace officer or a school resource officer who is commissioned by or
24 who provides law enforcement at a school district to successfully
25 complete an education and training program described by this
26 section before ~~[or within 180 days of]~~ the officer's commission by
27 or placement in the district or a campus of the district. The

1 program must:

- 2 (1) consist of at least 30 hours [~~16 hours~~] of
3 training;
4 (2) be approved by the commission; and
5 (3) provide training in accordance with the curriculum
6 developed under Section 1701.262 in each subject area listed in
7 Subsection (c) of that section.

8 SECTION 6. Sections 28.012(b) and 28.025(b-20), Education
9 Code, as amended by this Act, apply beginning with the 2021-2022
10 school year.

11 SECTION 7. As soon as practicable but not later than January
12 1, 2022:

13 (1) a school district that commissions a school
14 district peace officer or at which a school resource officer
15 provides law enforcement shall adopt a policy as required by
16 Section 37.0812(b), Education Code, as amended by this Act; and

17 (2) the Texas Commission on Law Enforcement shall
18 amend the model training curriculum and rules as necessary to
19 implement Sections 1701.262 and 1701.263, Occupations Code, as
20 amended by this Act.

21 SECTION 8. (a) As soon as practicable but not later than
22 January 1, 2023, a school district peace officer or school resource
23 officer who commences employment or commences providing law
24 enforcement at a school district on a date occurring before January
25 1, 2022, shall complete the training required by Section 1701.263,
26 Occupations Code, as amended by this Act.

27 (b) Subsection (a) of this section does not apply to a

1 school district peace officer or school resource officer who is
2 exempt from the training established under Section 1701.263,
3 Occupations Code, as amended by this Act, because the officer has
4 completed the training described by Subsection (b-1) of that
5 section.

6 SECTION 9. This Act takes effect immediately if it receives
7 a vote of two-thirds of all the members elected to each house, as
8 provided by Section 39, Article III, Texas Constitution. If this
9 Act does not receive the vote necessary for immediate effect, this
10 Act takes effect September 1, 2021.