

1-1 By: Metcalf (Senate Sponsor - Paxton) H.B. No. 3597  
 1-2 (In the Senate - Received from the House May 10, 2021;  
 1-3 May 10, 2021, read first time and referred to Committee on  
 1-4 Education; May 24, 2021, reported adversely, with favorable  
 1-5 Committee Substitute by the following vote: Yeas 9, Nays 0;  
 1-6 May 24, 2021, sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8 Taylor	X			
1-9 Lucio			X	
1-10 Bettencourt	X			
1-11 Hall	X			
1-12 Hughes	X			
1-13 Menéndez	X			
1-14 Paxton	X			
1-15 Perry	X			
1-16 Powell	X			
1-17 Schwertner	X			
1-18 West			X	

1-20 COMMITTEE SUBSTITUTE FOR H.B. No. 3597 By: Paxton

1-21 A BILL TO BE ENTITLED  
 1-22 AN ACT

1-23 relating to policies, procedures, and measures for school safety in  
 1-24 public schools.

1-25 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-26 SECTION 1. Sections 37.108(c-2) and (d), Education Code,  
 1-27 are amended to read as follows:

1-28 (c-2) A document relating to a school district's or public  
 1-29 junior college district's multihazard emergency operations plan is  
 1-30 subject to disclosure if the document enables a person to:

1-31 (1) verify that the district has established a plan  
 1-32 and determine the agencies involved in the development of the plan  
 1-33 and the agencies coordinating with the district to respond to an  
 1-34 emergency, including the Department of State Health Services, local  
 1-35 emergency services agencies, law enforcement agencies, health  
 1-36 departments, and fire departments;

1-37 (2) verify that the district's plan was reviewed  
 1-38 within the last 12 months and determine the specific review dates;

1-39 (3) verify that the plan addresses the five [~~four~~]  
 1-40 phases of emergency management under Subsection (a);

1-41 (4) verify that district employees have been trained  
 1-42 to respond to an emergency and determine the types of training, the  
 1-43 number of employees trained, and the person conducting the  
 1-44 training;

1-45 (5) verify that each campus in the district has  
 1-46 conducted mandatory emergency drills and exercises in accordance  
 1-47 with the plan and determine the frequency of the drills;

1-48 (6) if the district is a school district, verify that  
 1-49 the district has established a plan for responding to a train  
 1-50 derailment if required under Subsection (d);

1-51 (7) verify that the district has completed a safety  
 1-52 and security audit under Subsection (b) and determine the date the  
 1-53 audit was conducted, the person conducting the audit, and the date  
 1-54 the district presented the results of the audit to the district's  
 1-55 board of trustees;

1-56 (8) verify that the district has addressed any  
 1-57 recommendations by the district's board of trustees for improvement  
 1-58 of the plan and determine the district's progress within the last 12  
 1-59 months; and

1-60 (9) if the district is a school district, verify that

2-1 the district has established a visitor policy and identify the  
2-2 provisions governing access to a district building or other  
2-3 district property.

2-4 (d) A school district shall include in its multihazard  
2-5 emergency operations plan a policy for responding to a train  
2-6 derailment near a district school. A school district is only  
2-7 required to adopt the policy described by this subsection if a  
2-8 ~~[district]~~ school district facility is located within 1,000 yards  
2-9 of a railroad track, as measured from any point on the school's real  
2-10 property boundary line. The school district may use any available  
2-11 community resources in developing the policy described by this  
2-12 subsection.

2-13 SECTION 2. Section 37.114, Education Code, is amended to  
2-14 read as follows:

2-15 Sec. 37.114. EMERGENCY EVACUATIONS; MANDATORY SCHOOL  
2-16 DRILLS. The commissioner, in consultation with the Texas School  
2-17 Safety Center and the state fire marshal, shall adopt rules:

2-18 (1) providing procedures for evacuating and securing  
2-19 school property during an emergency; and

2-20 (2) designating the number and type of mandatory  
2-21 school drills to be conducted each semester of the school year, not  
2-22 to exceed a total of eight drills~~[, including designating the~~  
2-23 ~~number of:~~

2-24 [~~(A) evacuation fire exit drills, and~~  
2-25 [~~(B) lockdown, lockout, shelter-in-place, and~~  
2-26 ~~evacuation drills~~].

2-27 SECTION 3. Section 37.115(d), Education Code, is amended to  
2-28 read as follows:

2-29 (d) The superintendent of the district shall ensure, to the  
2-30 greatest extent practicable, that the members appointed to each  
2-31 team have expertise in counseling, behavior management, mental  
2-32 health and substance use, classroom instruction, special  
2-33 education, school administration, school safety and security,  
2-34 emergency management, and law enforcement. A team may serve more  
2-35 than one campus of a school district, provided that each district  
2-36 campus is assigned a team.

2-37 SECTION 4. Section 37.207(e), Education Code, is amended to  
2-38 read as follows:

2-39 (e) If three ~~[six]~~ months after the date of the initial  
2-40 notification required by Subsection (d) the district has still not  
2-41 reported the results of its audit to the center, the center shall  
2-42 notify the agency and the district of the district's requirement to  
2-43 conduct a public hearing under Section 37.1081. This subsection  
2-44 applies only to a school district.

2-45 SECTION 5. Section 37.2121, Education Code, is amended by  
2-46 amending Subsection (d) and adding Subsection (d-1) to read as  
2-47 follows:

2-48 (d) Each school district that enters into a memorandum of  
2-49 understanding or mutual aid agreement addressing issues that affect  
2-50 school safety and security shall, at the center's request, provide  
2-51 a copy of the memorandum or agreement ~~[following information]~~ to  
2-52 the center ~~[+]~~

2-53 [~~(1) the name of each entity with which the school~~  
2-54 ~~district has entered into a memorandum of understanding or mutual~~  
2-55 ~~aid agreement,~~

2-56 [~~(2) the effective date of each memorandum or~~  
2-57 ~~agreement, and~~

2-58 [~~(3) a summary of each memorandum or agreement~~].

2-59 (d-1) A copy of a memorandum of understanding or mutual aid  
2-60 agreement provided to the center under Subsection (d) is  
2-61 confidential and not subject to disclosure under Chapter 552,  
2-62 Government Code.

2-63 SECTION 6. Subchapter F, Chapter 411, Government Code, is  
2-64 amended by adding Section 411.14055 to read as follows:

2-65 Sec. 411.14055. ACCESS TO CRIMINAL HISTORY RECORD  
2-66 INFORMATION: TEXAS SCHOOL SAFETY CENTER. The Texas School Safety  
2-67 Center at Texas State University is entitled to obtain from the  
2-68 department criminal history record information maintained by the  
2-69 department that relates to a person who is registering with the

3-1 Texas School Safety Center to provide school safety or security  
3-2 consulting services under Section 37.2091, Education Code.

3-3 SECTION 7. This Act takes effect immediately if it receives  
3-4 a vote of two-thirds of all the members elected to each house, as  
3-5 provided by Section 39, Article III, Texas Constitution. If this  
3-6 Act does not receive the vote necessary for immediate effect, this  
3-7 Act takes effect September 1, 2021.

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