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H.B. No. 3

A BILL TO BE ENTITLED

AN ACT

relating to the development of, implementation of, and funding for
public school safety and security requirements.

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

SECTION 1. Section 7.028(a), Education Code, is amended to
read as follows:

(a) Except as provided by Section 21.006(k), 22.093(l),
22.096, 28.006, 29.001(5), 29.010(a), 33.006(h), 37.1084, 38.003,
or 39.003, the agency may monitor compliance with requirements
applicable to a process or program provided by a school district,
campus, program, or school granted charters under Chapter 12,
including the process described by Subchapter F, Chapter 11, or a
program described by Subchapter B, C, D, E, F, H, or I, Chapter 29,
or Subchapter A, Chapter 37, only as necessary to ensure:

- (1) compliance with federal law and regulations;
- (2) financial accountability, including compliance
with grant requirements;
- (3) data integrity for purposes of:
 - (A) the Public Education Information Management
System (PEIMS); and
 - (B) accountability under Chapters 39 and 39A; and
- (4) qualification for funding under Chapter 48.

SECTION 2. Section 7.061(c), Education Code, is amended to
read as follows:

1 (c) Not later than September 1 of each even-numbered year,
2 the commissioner shall review all rules adopted or amended under
3 this section and amend the rules as necessary to ensure that
4 building standards for school district and open-enrollment charter
5 school facilities continue to provide a secure and safe
6 environment. In reviewing and amending the rules, the commissioner
7 shall:

8 (1) in consultation with the Texas School Safety
9 Center, identify and adopt any changes recommended under Section
10 37.221; and

11 (2) require that new and, to the extent feasible,
12 existing school facilities meet or exceed the amended building
13 standards.

14 SECTION 3. Section 11.201(c), Education Code, is amended to
15 read as follows:

16 (c) For purposes of this subsection, "severance payment"
17 means any amount paid by the board of trustees of an independent
18 school district to or in behalf of a superintendent on early
19 termination of the superintendent's contract that exceeds the
20 amount earned by the superintendent under the contract as of the
21 date of termination, including any amount that exceeds the amount
22 of earned standard salary and benefits that is paid as a condition
23 of early termination of the contract. The board of trustees may not
24 make a severance payment to a superintendent who was terminated as a
25 result of the district's noncompliance with safety and security
26 requirements as provided by Section 37.1085. The board of trustees
27 that makes a severance payment to a superintendent shall report the

1 terms of the severance payment to the commissioner. The
2 commissioner shall reduce the district's Foundation School Program
3 funds by any amount that the amount of the severance payment to the
4 superintendent exceeds an amount equal to one year's salary and
5 benefits under the superintendent's terminated contract. The
6 commissioner may adopt rules as necessary to administer this
7 subsection.

8 SECTION 4. Section 12.104(b), Education Code, as amended by
9 Chapters 542 (S.B. 168), 887 (S.B. 1697), 915 (H.B. 3607), 974 (S.B.
10 2081), and 1046 (S.B. 1365), Acts of the 87th Legislature, Regular
11 Session, 2021, is reenacted and amended to read as follows:

12 (b) An open-enrollment charter school is subject to:

13 (1) a provision of this title establishing a criminal
14 offense;

15 (2) the provisions in Chapter 554, Government Code;
16 and

17 (3) a prohibition, restriction, or requirement, as
18 applicable, imposed by this title or a rule adopted under this
19 title, relating to:

20 (A) the Public Education Information Management
21 System (PEIMS) to the extent necessary to monitor compliance with
22 this subchapter as determined by the commissioner;

23 (B) criminal history records under Subchapter C,
24 Chapter 22;

25 (C) reading instruments and accelerated reading
26 instruction programs under Section 28.006;

27 (D) accelerated instruction under Section

- 1 28.0211;
- 2 (E) high school graduation requirements under
- 3 Section 28.025;
- 4 (F) special education programs under Subchapter
- 5 A, Chapter 29;
- 6 (G) bilingual education under Subchapter B,
- 7 Chapter 29;
- 8 (H) prekindergarten programs under Subchapter E
- 9 or E-1, Chapter 29, except class size limits for prekindergarten
- 10 classes imposed under Section 25.112, which do not apply;
- 11 (I) extracurricular activities under Section
- 12 33.081;
- 13 (J) discipline management practices or behavior
- 14 management techniques under Section 37.0021;
- 15 (K) health and safety under Chapter 38;
- 16 (L) the provisions of Subchapter A, Chapter 39;
- 17 (M) public school accountability and special
- 18 investigations under Subchapters A, B, C, D, F, G, and J, Chapter
- 19 39, and Chapter 39A;
- 20 (N) the requirement under Section 21.006 to
- 21 report an educator's misconduct;
- 22 (O) intensive programs of instruction under
- 23 Section 28.0213;
- 24 (P) the right of a school employee to report a
- 25 crime, as provided by Section 37.148;
- 26 (Q) bullying prevention policies and procedures
- 27 under Section 37.0832;

1 (R) the right of a school under Section 37.0052
2 to place a student who has engaged in certain bullying behavior in a
3 disciplinary alternative education program or to expel the student;

4 (S) the right under Section 37.0151 to report to
5 local law enforcement certain conduct constituting assault or
6 harassment;

7 (T) a parent's right to information regarding the
8 provision of assistance for learning difficulties to the parent's
9 child as provided by Sections 26.004(b)(11) and 26.0081(c) and (d);

10 (U) establishment of residency under Section
11 25.001;

12 (V) school safety requirements under Sections
13 37.0814, 37.108, 37.1081, 37.1082, 37.1084, 37.1085, 37.109,
14 37.113, 37.114, 37.1141, 37.115, 37.207, and 37.2071;

15 (W) the early childhood literacy and mathematics
16 proficiency plans under Section 11.185;

17 (X) the college, career, and military readiness
18 plans under Section 11.186; and

19 (Y) [~~(X)~~] parental options to retain a student
20 under Section 28.02124.

21 SECTION 5. Section 29.202(a), Education Code, is amended to
22 read as follows:

23 (a) A student is eligible to receive a public education
24 grant or to attend another public school in the district in which
25 the student resides under this subchapter if the student is
26 assigned to attend a public school campus:

27 (1) assigned an unacceptable performance rating that

1 is made publicly available under Section [39.054](#); or

2 (2) determined by the commissioner to be noncompliant
3 with safety and security requirements under Section 37.1085.

4 SECTION 6. Section [37.081](#), Education Code, is amended by
5 amending Subsection (a) and adding Subsections (a-1), (a-2), and
6 (a-3) to read as follows:

7 (a) The board of trustees of any school district may employ
8 or contract with security personnel, enter into a memorandum of
9 understanding with a local law enforcement agency or a county or
10 municipality that is the employing political subdivision of
11 commissioned peace officers for the provision of school resource
12 officers, contract with a security services contractor licensed
13 under Chapter [1702](#), Occupations Code, for the provision of a level
14 two or three commissioned security officer, as defined by Section
15 [1702.002](#), Occupations Code, and commission peace officers to carry
16 out this subchapter. [~~If a board of trustees authorizes a person~~
17 ~~employed as security personnel to carry a weapon, the person must be~~
18 ~~a commissioned peace officer.] The jurisdiction of a peace
19 officer, a school resource officer, or security personnel under
20 this section shall be determined by the board of trustees and may
21 include all territory in the boundaries of the school district and
22 all property outside the boundaries of the district that is owned,
23 leased, or rented by or otherwise under the control of the school
24 district and the board of trustees that employ the peace officer or
25 security personnel or that enter into a memorandum of understanding
26 for the provision of a school resource officer.~~

27 (a-1) A memorandum of understanding for the provision of

1 school resource officers entered into under Subsection (a) must:

2 (1) be in the form of an interlocal contract under
3 Chapter 791, Government Code; and

4 (2) use a proportionate cost allocation methodology to
5 address any costs or fees incurred by the school district or the
6 local law enforcement agency, county, or municipality, as
7 applicable.

8 (a-2) The cost allocation methodology used under Subsection
9 (a-1)(2) may allow a local law enforcement agency, county, or
10 municipality, as applicable, to recoup direct costs incurred as a
11 result of the contract but may not allow the agency, county, or
12 municipality to profit under the contract.

13 (a-3) A school district, local law enforcement agency,
14 county, or municipality that enters into a memorandum of
15 understanding under Subsection (a) may seek funding from federal,
16 state, and private sources to support the cost of providing school
17 resource officers under this section.

18 SECTION 7. Subchapter C, Chapter 37, Education Code, is
19 amended by adding Section 37.0814 to read as follows:

20 Sec. 37.0814. ARMED SECURITY OFFICER REQUIRED. (a) The
21 board of trustees of each school district shall determine the
22 appropriate number of armed security officers for each district
23 campus. The board must ensure at least one armed security officer
24 is present during regular school hours at each district campus.

25 (b) A security officer described by Subsection (a) must be:

26 (1) a school district peace officer;

27 (2) a school resource officer;

1 (3) a commissioned peace officer employed as security
2 personnel under Section 37.081;

3 (4) an individual who holds a level 3 license issued
4 under Chapter 1702, Occupations Code;

5 (5) a school marshal; or

6 (6) a school district employee or a person with whom
7 the district contracts who:

8 (A) has completed school safety training
9 provided by a qualified handgun instructor certified in school
10 safety under Section 411.1901, Government Code; and

11 (B) carries a handgun on his or her person while
12 on school premises in accordance with written regulations or
13 written authorization of the district under Section
14 46.03(a)(1)(A), Penal Code.

15 (c) Subject to Subsection (d), a security officer described
16 by Subsection (a) may not perform the routine law enforcement
17 duties of a peace officer, including making arrests, unless the
18 duty is performed in response to an emergency that poses a threat of
19 death or serious bodily injury to a student, school district
20 employee, or other individual at the district campus.

21 (d) Subsection (c) does not apply to a commissioned peace
22 officer who is assigned law enforcement duties that are included in
23 campus and district documents describing the role of peace officers
24 in the district as required by Section 37.081(d) but who is also
25 fulfilling the role of armed security officer at the district under
26 this section.

27 (e) A local law enforcement agency must apply the same

1 policies, procedures, and fee structures to each memorandum of
2 understanding entered into by the law enforcement agency with a
3 school district for the provision of a school resource officer to
4 act as an armed security officer in accordance with this section.

5 SECTION 8. Section 37.108, Education Code, is amended by
6 amending Subsections (a) and (b) and adding Subsection (h) to read
7 as follows:

8 (a) Each school district or public junior college district
9 shall adopt and implement a multihazard emergency operations plan
10 for use in the district's facilities. The plan must address
11 prevention, mitigation, preparedness, response, and recovery as
12 defined by the Texas School Safety Center in conjunction with the
13 governor's office of homeland security, ~~and~~ the commissioner of
14 education, and the ~~or~~ commissioner of higher education~~, as~~
15 ~~applicable~~. The plan must provide for:

16 (1) training in responding to an emergency for
17 district employees, including substitute teachers;

18 (2) measures to ensure district employees, including
19 substitute teachers, have classroom access to a telephone,
20 including a cellular telephone, or another electronic
21 communication device allowing for immediate contact with district
22 emergency services or emergency services agencies, law enforcement
23 agencies, health departments, and fire departments;

24 (3) measures to ensure district communications
25 technology and infrastructure are adequate to allow for
26 communication during an emergency;

27 (4) if the plan applies to a school district,

1 mandatory school drills and exercises, including drills required
2 under Section 37.114, to prepare district students and employees
3 for responding to an emergency;

4 (5) measures to ensure coordination with the
5 Department of State Health Services and local emergency management
6 agencies, law enforcement, health departments, and fire
7 departments in the event of an emergency; ~~and~~

8 (6) the implementation of a safety and security audit
9 as required by Subsection (b);

10 (7) evidence-based strategies to create positive and
11 safe school environments, including:

12 (A) family engagement programs;

13 (B) employee trainings on multi-tiered systems
14 of support for academic and behavioral success;

15 (C) efforts to respond to chronic absenteeism;

16 (D) trauma-informed practices as defined in
17 Section 38.036; and

18 (E) opportunities for community feedback on the
19 implementation of the measures required by this subdivision; and

20 (8) any other requirements established by the Texas
21 School Safety Center in consultation with the agency.

22 (b) At least once every three years, each school district or
23 public junior college district shall conduct a safety and security
24 audit of the district's facilities. A ~~[To the extent possible, a]~~
25 district shall follow safety and security audit procedures
26 developed by the Texas School Safety Center in coordination with
27 the commissioner of education or commissioner of higher education,

1 as applicable, or a person included in the registry established by
2 the Texas School Safety Center under Section 37.2091.

3 (h) The Texas School Safety Center and the agency shall
4 provide school safety-related data collected by the center or
5 agency to each other on request.

6 SECTION 9. Section 37.1081(a), Education Code, is amended
7 to read as follows:

8 (a) If the board of trustees of a school district receives
9 notice of noncompliance under Section 37.207(e) or 37.2071(d) or
10 (g) [~~37.2071(g)~~], the board shall hold a public hearing to notify
11 the public of:

- 12 (1) the district's failure to:
- 13 (A) submit or correct deficiencies in a
 - 14 multihazard emergency operations plan; or
 - 15 (B) report the results of a safety and security
 - 16 audit to the Texas School Safety Center as required by law;
- 17 (2) the dates during which the district has not been in
18 compliance; and
- 19 (3) the names of each member of the board of trustees
20 and the superintendent serving in that capacity during the dates
21 the district was not in compliance.

22 SECTION 10. The heading to Section 37.1082, Education Code,
23 is amended to read as follows:

24 Sec. 37.1082. MULTHAZARD EMERGENCY OPERATIONS PLAN
25 NONCOMPLIANCE; APPOINTMENT OF AGENCY MONITOR, CONSERVATOR, OR
26 BOARD OF MANAGERS.

27 SECTION 11. Sections 37.1082(a) and (b), Education Code,

1 are amended to read as follows:

2 (a) If the agency receives notice from the Texas School
3 Safety Center of a school district's failure to submit a
4 multihazard emergency operations plan, the commissioner may
5 appoint an agency monitor [~~a conservator~~] for the district under
6 Chapter 39A. The agency monitor [~~conservator~~] may participate in
7 and report to the agency on the district's adoption,
8 implementation, and submission of [~~order the district to adopt,~~
9 ~~implement, and submit~~] a multihazard emergency operations plan.

10 (b) If a district fails to comply with an agency monitor's
11 requests regarding the district's adoption, implementation, and
12 submission of [~~a conservator's order to adopt, implement, and~~
13 ~~submit~~] a multihazard emergency operations plan within the time
14 frame imposed by the commissioner, the commissioner may appoint a
15 conservator or board of managers under Chapter 39A to oversee the
16 operations of the district.

17 SECTION 12. Subchapter D, Chapter 37, Education Code, is
18 amended by adding Sections 37.1084 and 37.1085 to read as follows:

19 Sec. 37.1084. AGENCY MONITORING OF SCHOOL DISTRICT SAFETY
20 AND SECURITY REQUIREMENTS. (a) The agency shall monitor school
21 district compliance with safety and security requirements,
22 including by annually conducting on-site audits of school
23 districts. The agency may conduct the on-site audits using a cycle
24 of random selection. The on-site audits must be conducted in
25 accordance with criteria developed by the agency in consultation
26 with the Texas School Safety Center.

27 (b) The monitoring must include intruder detection audits

1 of each school district to determine whether an intruder could gain
2 unsecured, unauthorized access to a district campus. The agency
3 shall ensure that an intruder detection audit is conducted annually
4 at each school district and that the audit includes an on-site audit
5 of not less than 25 percent of the district's campuses.

6 (c) The agency may establish an office of school safety and
7 security within the agency to coordinate the agency's monitoring of
8 school district compliance with safety and security requirements
9 under this section. The head of an office of school safety and
10 security established under this subsection must report directly to
11 the commissioner.

12 (d) The agency shall, in coordination with the Texas School
13 Safety Center, provide technical assistance to support
14 implementation of school district multihazard emergency operations
15 plans and safety and security audits and other school district
16 safety and security requirements.

17 (e) The agency may use or require the use of third parties to
18 conduct the monitoring required under this section.

19 (f) The agency and the Texas School Safety Center may
20 identify, develop, and make available to school districts
21 information to assist districts in the implementation and operation
22 of safety and security requirements, including relevant:

- 23 (1) guidelines;
- 24 (2) techniques;
- 25 (3) blueprints;
- 26 (4) best practices; and
- 27 (5) procedures.

1 (g) The agency may require a school district to submit
2 information necessary for the agency to conduct an on-site audit or
3 otherwise monitor school district compliance with safety and
4 security requirements under this section, including:

5 (1) notice of an event requiring a district's
6 emergency response; and

7 (2) information regarding the district's response and
8 use of emergency operations procedures during an event described by
9 Subdivision (1).

10 (h) The agency may review school district records as
11 necessary to ensure compliance with this subchapter and Subchapter
12 G.

13 (i) Any document or information collected, identified,
14 developed, or produced relating to the monitoring of school
15 district safety and security requirements under this section is
16 confidential under Sections 418.177 and 418.181, Government Code,
17 and not subject to disclosure under Chapter 552, Government Code.

18 (j) The commissioner may adopt rules as necessary to
19 administer this section.

20 Sec. 37.1085. ACTIONS BASED ON NONCOMPLIANCE WITH SAFETY
21 AND SECURITY REQUIREMENTS. (a) For purposes of this section, the
22 commissioner may determine that a school district or a campus of the
23 district is noncompliant with the safety and security requirements
24 under Section 37.1084 if the district fails to:

25 (1) submit to the required monitoring under that
26 section;

27 (2) comply with applicable safety and security

1 requirements; or

2 (3) address in a reasonable time period, as determined
3 by commissioner rule, issues raised by the agency's monitoring of
4 the district under that section.

5 (b) A student enrolled in a school district determined to be
6 noncompliant under Subsection (a) is eligible to receive a public
7 education grant to attend a school in a district other than the
8 district in which the student resides as provided by Subchapter G,
9 Chapter 29.

10 (c) If the superintendent or an administrator of a school
11 district is terminated by the board of trustees of the district as a
12 result of a determination that the district was noncompliant under
13 Subsection (a), the board may not make a severance payment of any
14 amount to the superintendent or administrator.

15 (d) The commissioner may adopt rules as necessary to
16 implement this section.

17 SECTION 13. Section 37.115, Education Code, is amended by
18 adding Subsections (j-1) and (j-2) to read as follows:

19 (j-1) Materials and information provided to or produced by a
20 team during a threat assessment of a student under this section must
21 be maintained in the student's school record until the student's
22 24th birthday.

23 (j-2) If a person destroys material or information
24 described by Subsection (j-1) before the period of maintenance
25 required under that subsection has expired, the board of trustees
26 of a school district may not renew the person's employment contract
27 with the school district.

1 SECTION 14. Subchapter D, Chapter 37, Education Code, is
2 amended by adding Section 37.119 to read as follows:

3 Sec. 37.119. STATEWIDE SCHOOL SAFETY COOPERATIVE CONTRACT
4 PROGRAM FOR DESIGNATED TECHNOLOGIES; GRANTS. (a) The Department
5 of Information Resources, in consultation with the agency and the
6 Texas School Safety Center, shall develop a statewide school safety
7 cooperative contract program under which the department:

8 (1) designates certain school safety technologies
9 that a school district or open-enrollment charter school
10 participating in the program may procure only under a designated
11 statewide school safety cooperative contract approved under this
12 section; and

13 (2) approves statewide school safety cooperative
14 contracts with vendors to provide each technology designated under
15 Subdivision (1).

16 (b) In designating technologies for purposes of this
17 section, the Department of Information Resources:

18 (1) shall include school security solutions
19 technologies that consist primarily of software applications and
20 are typically sold on a recurring basis by a vendor of that
21 technology, including:

- 22 (A) software-based access control solutions;
23 (B) software-based emergency mass notification
24 solutions;
25 (C) video management or monitoring services;
26 (D) video-analytic firearm detection and
27 alerting systems; and

- 1 (E) automated emergency response solutions; and
2 (2) may not designate:
3 (A) physical security threat assessments;
4 (B) hardware products, including security
5 cameras that are sold as a one-time, fixed-cost product;
6 (C) physical security hardening products,
7 including fencing, ballistic glass, door reinforcements, and
8 similar products;
9 (D) radios and other general communication
10 devices; or
11 (E) enhanced mapping products that are sold as a
12 one-time cost product with a minimal recurring annual fee.

13 (c) Before approving and entering into a statewide school
14 safety cooperative contract with a vendor to provide a designated
15 technology under this section, the Department of Information
16 Resources, in consultation with the agency and the Texas School
17 Safety Center, shall:

- 18 (1) ensure the technology contracted for meets the
19 required specifications under Subsection (d);
20 (2) consider the purchase price of that technology
21 compared to the price provided by other vendors or for similar
22 technologies; and
23 (3) consider any other relevant factors.

24 (d) In selecting a vendor of a designated technology for a
25 statewide school safety cooperative contract, the Department of
26 Information Resources shall:

- 27 (1) ensure that the technology provided by that

1 vendor:

2 (A) is capable of being fully integrated into a
3 statewide system for which the vendor provides continuous uptime
4 remote monitoring and auditing functionality;

5 (B) is developed in the United States without the
6 use of any third-party or open-source data;

7 (C) is compliant with any applicable
8 requirements under the National Defense Authorization Act (10
9 U.S.C. Section 2679); and

10 (D) if the technology uses software, has an
11 application programming interface that is accessible to enable
12 integration with other software; and

13 (2) to the extent possible, prioritize technologies:

14 (A) designated as qualified technology under the
15 federal SAFETY Act (6 U.S.C. Section 441 et seq.); and

16 (B) provided by a vendor that:

17 (i) is financially stable;

18 (ii) has demonstrated capability and
19 responsibility through a sustained history of successful
20 deployments of the technology at schools; and

21 (iii) is able to provide reliable
22 maintenance and support.

23 (e) A school district or open-enrollment charter school
24 that enters an agreement to participate in the statewide school
25 safety cooperative contract program under this section may not
26 purchase a technology designated under this section except under
27 the applicable approved cooperative contract.

1 (f) From funds appropriated for the purpose, the agency
2 shall provide to school districts and open-enrollment charter
3 schools that participate in the statewide school safety cooperative
4 contract program grants for the purchase of designated technologies
5 under an applicable approved cooperative contract.

6 (g) The Department of Information Resources and the
7 commissioner may adopt rules as necessary to implement this
8 section.

9 SECTION 15. Sections 37.2071(b), (c), (d), (f), (g), and
10 (h), Education Code, are amended to read as follows:

11 (b) A school district or public junior college district
12 shall submit its multihazard emergency operations plan to the
13 center:

14 (1) not later than the 30th day after the date [on
15 request of] the center requests the submission; and

16 (2) in accordance with the center's review cycle
17 developed under Subsection (a).

18 (c) The center shall review each district's multihazard
19 emergency operations plan submitted under Subsection (b) and:

20 (1) verify the plan meets the requirements of Section
21 37.108; or

22 (2) provide the district with written notice:

23 (A) describing the plan's deficiencies; ~~and~~

24 (B) including specific recommendations to
25 correct the deficiencies; and

26 (C) stating that the district must correct the
27 deficiencies in its plan and resubmit the revised plan to the

1 center.

2 (d) If a district fails to submit its multihazard emergency
3 operations plan to the center for review following a notification
4 by the center that the district has failed to submit the district's
5 plan, the center shall provide the district with written notice
6 stating that the district must hold a public hearing under Section
7 37.1081 [~~+~~

8 [~~(1) has failed to submit a plan; and~~

9 [~~(2) must submit a plan to the center for review and~~
10 ~~verification~~].

11 (f) If one month [~~three months~~] after the date of initial
12 notification of a plan's deficiencies under Subsection (c)(2) [~~or~~
13 ~~failure to submit a plan under Subsection (d)~~] a district has not
14 corrected the plan deficiencies [~~or has failed to submit a plan~~],
15 the center shall provide written notice to the district and agency
16 that the district has not complied with the requirements of this
17 section and must comply immediately.

18 (g) If a school district still has not corrected the plan
19 deficiencies three [~~or has failed to submit a plan six~~] months after
20 the date of initial notification under Subsection (c)(2) [~~or (d)~~],
21 the center shall provide written notice to the school district
22 stating that the district must hold a public hearing under Section
23 37.1081.

24 (h) If a school district has failed to submit a plan, the
25 notice required by Subsection (d) [~~(g)~~] must state that the
26 commissioner is authorized to appoint an agency monitor [~~a~~
27 ~~conservator~~] under Section 37.1082.

1 SECTION 16. Section [37.2091](#), Education Code, is amended by
2 adding Subsection (b-1) to read as follows:

3 (b-1) A school district must confirm that a person is
4 included in the registry established under Subsection (b) before
5 the district may engage the person to provide school safety or
6 security consulting services to the district.

7 SECTION 17. Subchapter [G](#), Chapter [37](#), Education Code, is
8 amended by adding Sections [37.221](#) and [37.222](#) to read as follows:

9 Sec. 37.221. FACILITIES STANDARDS REVIEW. (a) At least
10 once every five years, the center shall review the building
11 standards for instructional facilities adopted under Section [7.061](#)
12 and make recommendations to the commissioner regarding any changes
13 necessary to ensure that the building standards reflect best
14 practices for student safety.

15 (b) The commissioner shall coordinate with municipalities
16 and counties as necessary to align building code requirements with
17 building standards recommended under Subsection (a) for purposes of
18 ensuring compliance with those standards.

19 Sec. 37.222. RESOURCES ON SAFE FIREARM STORAGE. (a) The
20 center, in collaboration with the Department of Public Safety,
21 shall provide to each school district and open-enrollment charter
22 school information and other resources regarding the safe storage
23 of firearms for distribution by the district or school under
24 Subsection (b), including information on:

- 25 (1) the offense under Section [46.13](#), Penal Code; and
26 (2) ways in which parents and guardians can
27 effectively prevent children from accessing firearms.

1 (b) Each school district and open-enrollment charter school
2 shall provide the information and other resources described under
3 Subsection (a) to the parent or guardian of each student enrolled in
4 the district or school.

5 SECTION 18. Subchapter E, Chapter 45, Education Code, is
6 amended by adding Section 45.1011 to read as follows:

7 Sec. 45.1011. USE OF BOND PROCEEDS FOR SCHOOL SAFETY
8 COMPLIANCE. (a) The proceeds of bonds issued by school districts
9 for the construction and equipment of school buildings in the
10 district and the purchase of the necessary sites for school
11 buildings may be used to pay the costs associated with complying
12 with school safety and security requirements for school facilities.

13 (b) This subsection applies to a school district that is
14 determined by the agency, through the agency's monitoring of safety
15 and security requirements under Section 37.1084, to not be in
16 compliance with those requirements. Notwithstanding any other law,
17 a school district to which this subsection applies must use the
18 proceeds of bonds described by Subsection (a) to achieve compliance
19 with applicable safety and security requirements before the
20 district may use those proceeds for any other authorized purpose.

21 SECTION 19. Section 48.115, Education Code, is amended by
22 amending Subsections (a) and (b) and adding Subsections (a-1) and
23 (e) to read as follows:

24 (a) Subject to Subsection (a-1), a [~~From funds appropriated~~
25 ~~for that purpose, the commissioner shall provide to a~~] school
26 district is entitled to an annual allotment equal to the sum of the
27 following amounts or a greater [~~in the~~] amount provided by

1 appropriation:

2 (1) \$100 for each student in average daily attendance,
3 plus \$1 for each student in average daily attendance per every \$50
4 by which the district's maximum basic allotment under Section
5 48.051 exceeds \$6,160, prorated as necessary; and

6 (2) \$15,000 per campus.

7 (a-1) A school district may not receive an allotment under
8 Subsection (a) unless the district enters into an agreement with
9 the Department of Information Resources, the agency, and the Texas
10 School Safety Center to participate in the statewide school safety
11 cooperative contract program developed under Section 37.119 for the
12 purchase of designated technologies.

13 (b) Funds allocated under this section must be used to
14 improve school safety and security, including costs associated
15 with:

16 (1) securing school facilities, including:

17 (A) improvements to school infrastructure;

18 (B) the use or installation of physical barriers;

19 and

20 (C) the purchase and maintenance of:

21 (i) security cameras or other security
22 equipment; and

23 (ii) technology, including communications
24 systems or devices, that facilitates communication and information
25 sharing between students, school personnel, and first responders in
26 an emergency;

27 (2) providing security for the district, including:

1 (A) employing school district peace officers,
2 private security officers, ~~and~~ school marshals, and other persons
3 authorized by the board of trustees of the district and permitted by
4 law to carry a weapon on school campus grounds; and

5 (B) collaborating with local law enforcement
6 agencies, such as entering into a memorandum of understanding for
7 the assignment of school resource officers to schools in the
8 district;

9 (3) school safety and security measures ~~[training and~~
10 ~~planning]~~, including:

11 (A) active shooter and emergency response
12 training;

13 (B) prevention and treatment programs relating
14 to addressing adverse childhood experiences; and

15 (C) the prevention, identification, and
16 management of emergencies and threats, using evidence-based,
17 effective prevention practices and including:

18 (i) providing licensed counselors, social
19 workers, and individuals trained in restorative discipline and
20 restorative justice practices;

21 (ii) providing mental health personnel and
22 support;

23 (iii) providing behavioral health
24 services;

25 (iv) establishing threat reporting
26 systems; and

27 (v) developing and implementing programs

1 focused on restorative justice practices, culturally relevant
2 instruction, and providing mental health support; ~~and~~

3 (4) providing programs related to suicide prevention,
4 intervention, and postvention; and

5 (5) employing a school safety director and other
6 personnel to manage and monitor school safety initiatives and the
7 implementation of school safety requirements for the district.

8 (e) Notwithstanding any other law, a school district may use
9 funds allocated under this section to provide training to an armed
10 security officer employed by the district in accordance with
11 Section 37.0814 to prepare the officer to provide instruction to
12 students in the district on personal safety and related subjects.

13 SECTION 20. Subchapter B, Chapter 85, Local Government
14 Code, is amended by adding Section 85.024 to read as follows:

15 Sec. 85.024. SCHOOL SAFETY MEETINGS. (a) The sheriff of a
16 county in which a public school is located shall call and conduct
17 semiannual meetings to discuss:

18 (1) school safety;

19 (2) coordinated law enforcement response to school
20 violence incidents;

21 (3) law enforcement agency capabilities;

22 (4) available resources;

23 (5) emergency radio interoperability;

24 (6) chain of command planning; and

25 (7) other related subjects proposed by a person in
26 attendance at the meeting.

27 (b) The sheriff of a county in which more than one school

1 district or open-enrollment charter school is located is only
2 required to hold one semiannual meeting described by Subsection
3 (a); however districts and schools located within the same county
4 may adopt different school safety policies.

5 (c) The following persons shall attend a meeting called
6 under Subsection (a):

7 (1) the sheriff or the sheriff's designee;

8 (2) the police chief of a municipal police department
9 in the county or the police chief's designee;

10 (3) each elected constable in the county or the
11 constable's designees;

12 (4) each police chief of a school district's police
13 department or school district security coordinator from each school
14 district located in the county;

15 (5) a representative of the Department of Public
16 Safety assigned to the county;

17 (6) a representative of each other state agency with
18 commissioned peace officers assigned to the county;

19 (7) a person appointed to a command staff position at
20 an emergency medical service in the county;

21 (8) a person appointed to a command staff position at a
22 municipal emergency medical service in the county;

23 (9) a person appointed to a command staff position at a
24 fire department in the county;

25 (10) the superintendent or the superintendent's
26 designee of each school district located in the county;

27 (11) the person who serves the function of

1 superintendent, or that person's designee, in each open-enrollment
2 charter school located in the county; and

3 (12) any other person the sheriff considers
4 appropriate.

5 (d) The sheriff shall invite any federal law enforcement
6 official serving in the county to attend the meeting.

7 (e) As soon as practicable after a meeting under Subsection
8 (a), the sheriff shall submit a report to the Texas School Safety
9 Center identifying the attendees of the meeting and the subjects
10 discussed. The Texas School Safety Center shall maintain the report
11 and make it publicly available on the center's Internet website.
12 The center may not make publicly available and shall redact any
13 parts of a report that the center determines may expose a safety
14 vulnerability of a school district facility.

15 SECTION 21. To the extent of any conflict, this Act prevails
16 over another Act of the 88th Legislature, Regular Session, 2023,
17 relating to nonsubstantive additions to and corrections in enacted
18 codes.

19 SECTION 22. Sections [7.028](#) and [29.202](#), Education Code, as
20 amended by this Act, and Chapter [37](#), Education Code, as amended by
21 this Act, apply beginning with the 2023-2024 school year.

22 SECTION 23. The change in law made by this Act to Section
23 [37.081](#), Education Code, applies only to a memorandum of
24 understanding under that section that is entered into on or after
25 September 1, 2023.

26 SECTION 24. Section [37.1085\(c\)](#), Education Code, as added by
27 this Act, applies only to a superintendent, administrator serving

1 as educational leader and chief executive officer of a school
2 district or open-enrollment charter school, or other administrator
3 of the district or school employed under a contract entered into on
4 or after the effective date of this Act.

5 SECTION 25. Section 45.1011, Education Code, as added by
6 this Act, applies only to a bond authorized to be issued at an
7 election held on or after the effective date of this Act.

8 SECTION 26. (a) Except as provided by Subsection (b) of
9 this section, this Act takes effect immediately if it receives a
10 vote of two-thirds of all the members elected to each house, as
11 provided by Section 39, Article III, Texas Constitution. If this
12 Act does not receive the vote necessary for immediate effect, this
13 Act takes effect September 1, 2023.

14 (b) Section 48.115, Education Code, as amended by this Act,
15 takes effect September 1, 2023.