

By: King of Hemphill, Burrows,  
King of Uvalde, González of El Paso,  
Buckley, et al.

H.B. No. 13

Substitute the following for H.B. No. 13:

By: Lozano

C.S.H.B. No. 13

A BILL TO BE ENTITLED

AN ACT

relating to training, preparedness, and funding for school safety  
and emergencies in public schools.

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

SECTION 1. Subchapter **Z**, Chapter **22**, Education Code, is  
amended by adding Section 22.904 to read as follows:

Sec. 22.904. MENTAL HEALTH FIRST AID TRAINING. (a) A  
school district shall require each district employee who regularly  
interacts with students enrolled at the district to complete an  
evidence-based mental health first aid training program designed to  
provide instruction to participants regarding the recognition and  
support of children and youth who experience a mental health or  
substance use issue that may pose a threat to school safety.

(b) The agency shall provide an allotment to each school  
district equal to the amount district employees spent on travel and  
training fees in accordance with commissioner rule to comply with  
this section. An allotment provided to a district under this  
section must be used to reimburse the employee for the cost of  
travel and training fees.

(c) The commissioner shall adopt rules to implement this  
section, including rules specifying the training fees and travel  
expenses subject to reimbursement under Subsection (b).

SECTION 2. Subchapter **C**, Chapter **37**, Education Code, is  
amended by adding Section 37.08121 to read as follows:

1       Sec. 37.08121. SCHOOL GUARDIAN TRAINING AND STIPEND. (a)

2 In this section, "school guardian" means a school district or  
3 open-enrollment charter school employee who, pursuant to the  
4 written regulations or written authorization of the district or  
5 school under Section 46.03(a)(1)(A), Penal Code, is authorized to  
6 carry or possess a specified weapon for the purpose of providing  
7 safety and security on the physical premises of the employee's  
8 school, any grounds or building on which an activity sponsored by  
9 the school is being conducted, or a passenger transportation  
10 vehicle of the school.

11       (b) The written regulation or authorization of a school  
12 district or open-enrollment charter school that authorizes the  
13 presence of a school guardian must require the guardian to complete  
14 a school guardian training program approved by the agency under  
15 this section before being permitted to carry or possess a weapon on  
16 the physical premises of the school for the purposes of providing  
17 safety and security.

18       (c) The agency may only approve a school guardian training  
19 program if the program:

20           (1) requires completion of all training required for a  
21 school marshal, including the training program provided under  
22 Section 1701.260, Occupations Code; and

23           (2) includes instruction in mental health first aid  
24 and trauma-informed care.

25       (d) From funds appropriated or otherwise available for the  
26 purpose, a school district or open-enrollment charter school  
27 employee is entitled to a stipend in an amount determined by the

1 commissioner of not more than \$25,000 per school year that the  
2 employee serves as a school guardian after completing the training  
3 program required by this section. A stipend received under this  
4 subsection is not considered a part of the employee's compensation,  
5 including for purposes of determining whether a school district is  
6 paying an employee the minimum monthly salary under Section 21.402.

7 (e) The commissioner shall adopt rules necessary to  
8 implement this section.

9 SECTION 3. Section 37.115(c), Education Code, is amended to  
10 read as follows:

11 (c) The board of trustees of each school district shall  
12 establish a threat assessment and safe and supportive school team  
13 to serve at each campus of the district and shall adopt policies and  
14 procedures for the teams. The team is responsible for developing  
15 and implementing the safe and supportive school program under  
16 Subsection (b) at the district campus served by the team. The  
17 policies and procedures adopted under this section must:

18 (1) be consistent with the model policies and  
19 procedures developed by the Texas School Safety Center;

20 (2) require each team to complete training provided by  
21 the Texas School Safety Center or a regional education service  
22 center regarding evidence-based threat assessment programs; ~~and~~

23 (3) require each team established under this section  
24 to report the information required under Subsection (k) regarding  
25 the team's activities to the agency; and

26 (4) require each district campus to establish a clear  
27 procedure for a student to report concerning behavior exhibited by

1 another student for assessment by the team or other appropriate  
2 school employee.

3 SECTION 4. Section 37.108(g), Education Code, is amended to  
4 read as follows:

5 (g) A school district shall include in its multihazard  
6 emergency operations plan an active shooter preparedness appendix.  
7 The active shooter preparedness appendix must include a  
8 certification by the district that the district has provided to  
9 each law enforcement agency with jurisdiction in the district or  
10 geographic area served by the district:

11 (1) an accurate map of each district campus that is  
12 oriented to true north; and

13 (2) an opportunity to conduct a walk-through of each  
14 district facility. [~~a policy for responding to an active shooter~~  
15 emergency. ~~The school district may use any available community~~  
16 resources in developing the policy described by this subsection.]

17 SECTION 5. Subchapter D, Chapter 37, Education Code, is  
18 amended by adding Section 37.116 to read as follows:

19 Sec. 37.116. SCHOOL SAFETY INFRASTRUCTURE GRANT PROGRAM.

20 (a) With funds appropriated or otherwise available for the  
21 purpose, the agency shall establish a grant program to assist  
22 school districts and open-enrollment charter schools with any cost  
23 identified by a district or school as necessary for enhancing the  
24 infrastructure of each district or school campus to meet agency  
25 safety standards.

26 (b) The commissioner shall adopt rules to implement this  
27 section.

1 SECTION 6. Section 48.115, Education Code, is amended by  
2 amending Subsections (a) and (b) and adding Subsections (c-1) and  
3 (c-2) to read as follows:

4 (a) A [~~From funds appropriated for that purpose, the~~  
5 ~~commissioner shall provide to a~~] school district is entitled to an  
6 annual allotment of \$100 [~~in the amount provided by appropriation]~~  
7 for each student in average daily attendance.

8 (b) Funds allocated under this section must be used to  
9 improve school safety and security [~~, including costs associated~~  
10 ~~with:~~

- 11 [~~(1) securing school facilities, including:~~
  - 12 [~~(A) improvements to school infrastructure,~~
  - 13 [~~(B) the use or installation of physical~~
  - 14 ~~barriers, and~~
  - 15 [~~(C) the purchase and maintenance of:~~
    - 16 [~~(i) security cameras or other security~~
    - 17 ~~equipment, and~~
    - 18 [~~(ii) technology, including communications~~
    - 19 ~~systems or devices, that facilitates communication and information~~
    - 20 ~~sharing between students, school personnel, and first responders in~~
    - 21 ~~an emergency,~~

- 22 [~~(2) providing security for the district, including:~~
  - 23 [~~(A) employing school district peace officers,~~
  - 24 ~~private security officers, and school marshals, and~~
  - 25 [~~(B) collaborating with local law enforcement~~
  - 26 ~~agencies, such as entering into a memorandum of understanding for~~
  - 27 ~~the assignment of school resource officers to schools in the~~

1 ~~district,~~  
2 ~~[(3) school safety and security training and planning,~~  
3 ~~including:~~  
4 ~~[(A) active shooter and emergency response~~  
5 ~~training,~~  
6 ~~[(B) prevention and treatment programs relating~~  
7 ~~to addressing adverse childhood experiences, and~~  
8 ~~[(C) the prevention, identification, and~~  
9 ~~management of emergencies and threats, using evidence-based,~~  
10 ~~effective prevention practices and including:~~  
11 ~~[(i) providing licensed counselors, social~~  
12 ~~workers, and individuals trained in restorative discipline and~~  
13 ~~restorative justice practices,~~  
14 ~~[(ii) providing mental health personnel and~~  
15 ~~support,~~  
16 ~~[(iii) providing behavioral health~~  
17 ~~services,~~  
18 ~~[(iv) establishing threat reporting~~  
19 ~~systems, and~~  
20 ~~[(v) developing and implementing programs~~  
21 ~~focused on restorative justice practices, culturally relevant~~  
22 ~~instruction, and providing mental health support, and~~  
23 ~~[(4) providing programs related to suicide~~  
24 ~~prevention, intervention, and postvention].~~

25 (c-1) The agency, or if designated by the agency, the Texas  
26 School Safety Center, shall establish and publish a directory of  
27 approved vendors of school safety technology and equipment a school

1 district may select from when using funds allocated under this  
2 section. If a school district uses funds allocated under this  
3 section to purchase technology or equipment from a vendor that is  
4 not included in the directory, the district must solicit bids from  
5 at least three vendors before completing the purchase.

6 (c-2) Subsection (c-1) does not apply to:

7 (1) a vendor of behavioral health services or  
8 programming; or

9 (2) a vendor used by a third party engaged by a school  
10 district to improve school safety or security.

11 SECTION 7. Section 48.257, Education Code, is amended by  
12 amending Subsection (a) and adding Subsection (h) to read as  
13 follows:

14 (a) Subject to Subsections [~~Subsection~~] (b) and (h), if a  
15 school district's tier one local share under Section 48.256 exceeds  
16 the district's entitlement under Section 48.266(a)(1) less the  
17 district's distribution from the state available school fund, the  
18 district must reduce the district's tier one revenue level in  
19 accordance with Chapter 49 to a level not to exceed the district's  
20 entitlement under Section 48.266(a)(1) less the district's  
21 distribution from the state available school fund.

22 (h) This subsection applies only to a school district to  
23 which Subsection (a) applies. A school district is not required to  
24 reduce the district's tier one revenue level under Subsection (a)  
25 by an amount necessary for the district to employ an off-duty peace  
26 officer as school security personnel.

27 SECTION 8. Subtitle I, Title 2, Education Code, is amended

1 by adding Chapter 47A to read as follows:

2 CHAPTER 47A. STATE SCHOOL SAFETY FUND AND GRANTS

3 Sec. 47A.001. DEFINITIONS. In this chapter:

4 (1) "Corporation" means the Texas Permanent School  
5 Fund Corporation established under Chapter 43.

6 (2) "Fund" means the state school safety fund  
7 established under Section 7, Article VII, Texas Constitution.

8 (3) "Program" means the school safety grant program.

9 Sec. 47A.002. DEPOSITS TO FUND BY COMMISSIONER.

10 Notwithstanding any other law, including Section 48.265, if the  
11 commissioner determines that the amount appropriated for a state  
12 fiscal year for purposes of administering the Foundation School  
13 Program exceeds the amount to which school districts and  
14 open-enrollment charter schools are entitled under Chapters 46, 48,  
15 and 49 for that year, the commissioner shall deposit a portion of  
16 that excess, up to 100 percent, to the credit of the fund.

17 Sec. 47A.003. USES OF FUND. Money in the fund may only be  
18 used to provide grants to school districts and open-enrollment  
19 charter schools to enhance school safety under Section 47A.005.

20 Sec. 47A.004. ADMINISTRATION OF FUND. (a) The corporation  
21 shall hold and invest the fund with the objective of maintaining  
22 sufficient liquidity to meet the needs of the fund while striving to  
23 maximize returns. In managing the assets of the fund, through  
24 procedures and subject to restrictions the corporation considers  
25 appropriate, the corporation may acquire, exchange, sell,  
26 supervise, manage, or retain any type of investment that a person of  
27 ordinary prudence, discretion, and intelligence, exercising



1 reasonable care, skill, and caution, would acquire, exchange, sell,  
2 supervise, manage, or retain in light of the fund's investment  
3 objective.

4 (b) The corporation may charge a fee not to exceed the  
5 amount necessary to cover the costs estimated to be incurred by the  
6 corporation in managing and investing the fund. The fee may be  
7 assessed on the available balance of the fund each fiscal year.

8 Sec. 47A.005. SCHOOL SAFETY GRANTS. (a) The commissioner  
9 shall establish a school safety grant program using proceeds of the  
10 fund to provide grants to school districts and open-enrollment  
11 charter schools.

12 (b) The commissioner may only award a grant to a school  
13 district or open-enrollment charter school to reimburse the  
14 district or school for expenditures required for the implementation  
15 of a school safety plan that has been approved by the agency.

16 (c) The commissioner may award grants each school year in an  
17 amount not to exceed \$10 million to a school district or  
18 open-enrollment charter school.

19 (d) The commissioner may award grants each school year not  
20 to exceed a total amount of \$250 million.

21 (e) If the amount of grant requests under the program  
22 exceeds \$250 million in a school year, the commissioner shall  
23 proportionately reduce the amount of each grant in that school year  
24 in an amount necessary to limit the total amount of grants provided  
25 to \$250 million.

26 (f) Notwithstanding Subsection (c) and subject to the  
27 limitation under Subsection (d), if excess funds are available for

1 a school year, the commissioner may provide additional grants to  
2 school districts and open-enrollment charter schools that incurred  
3 eligible expenses of more than \$10 million in that school year.

4 Sec. 47A.006. RULES. The commissioner, in consultation  
5 with the corporation, may adopt rules as necessary to implement  
6 this chapter.

7 SECTION 9. (a) Except as provided by Subsections (b) and  
8 (c) of this section, this Act applies beginning with the 2023-2024  
9 school year.

10 (b) Notwithstanding Section 22.904, Education Code, as  
11 added by this Act, a school district must require the district's  
12 employees to complete the mental health first aid training required  
13 under that section as follows:

14 (1) at least 25 percent of the applicable district  
15 employees before the beginning of the 2025-2026 school year;

16 (2) at least 50 percent of the applicable district  
17 employees before the beginning of the 2026-2027 school year;

18 (3) at least 75 percent of the applicable district  
19 employees before the beginning of the 2027-2028 school year; and

20 (4) 100 percent of the applicable district employees  
21 before the beginning of the 2028-2029 school year.

22 (c) Chapter 47A, Education Code, as added by this Act,  
23 applies beginning with the 2024-2025 school year.

24 SECTION 10. (a) Except as provided by Subsections (b) and  
25 (c) of this section, this Act takes effect immediately if it  
26 receives a vote of two-thirds of all the members elected to each  
27 house, as provided by Section 39, Article III, Texas Constitution.

1 If this Act does not receive the vote necessary for immediate  
2 effect, this Act takes effect September 1, 2023.

3 (b) Sections 48.115 and 48.257, Education Code, as amended  
4 by this Act, take effect September 1, 2023.

5 (c) Section 8 of this Act takes effect January 1, 2024, but  
6 only if the constitutional amendment proposed by the 88th  
7 Legislature, Regular Session, 2023, creating the state school  
8 safety fund to provide financial support for projects that enhance  
9 the safety of public schools in this state is approved by the  
10 voters. If that constitutional amendment is not approved by the  
11 voters, Section 8 of this Act has no effect.