

By: King of Hemphill

H.B. No. 13

A BILL TO BE ENTITLED

AN ACT

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

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:

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

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

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

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

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

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

(d) From funds appropriated or otherwise available for the purpose, a school employee employed by a school district or open-enrollment charter school is entitled to a stipend in an amount determined by the commissioner of not more than \$25,000 per

1 school year that the employee serves as a school guardian after  
2 completing the training program required by this section. A stipend  
3 received under this subsection is not considered in determining  
4 whether a school district is paying the employee the minimum  
5 monthly salary under Section 21.402 or other section of this code.

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

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

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

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

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

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

25 (4) require each district campus to establish a clear  
26 procedure for a student to report concerning behavior exhibited by  
27 another student for assessment by the team or other appropriate

1 school employee.

2 SECTION 4. Subchapter D, Chapter 37, Education Code, is  
3 amended by adding Section 37.116 to read as follows:

4 Sec. 37.116. ACTIVE SHOOTER PREPAREDNESS PLAN AND  
5 PREPAREDNESS GRANT PROGRAM. (a) Each school district and  
6 open-enrollment charter school shall annually adopt and implement  
7 an active shooter preparedness plan for use in the district's or  
8 school's facilities and submit the plan to the agency.

9 (b) The agency, in consultation with the Texas School Safety  
10 Center, shall establish the minimum requirements for an active  
11 shooter preparedness plan and provide a rubric for use by school  
12 districts and open-enrollment charter schools in adopting and  
13 implementing the plan. The requirements for an active shooter  
14 preparedness plan must include requiring the district or school to:

15 (1) provide to the agency and each law enforcement  
16 agency with jurisdiction in the district or geographic area served  
17 by the school an accurate map of each district or school campus that  
18 is oriented to true north;

19 (2) provide each law enforcement agency with  
20 jurisdiction in the district or geographic area served by the  
21 school the opportunity to conduct a walk-through of each district  
22 or school facility; and

23 (3) identify and submit the district's or school's  
24 estimated costs, if any, to enhance the infrastructure on each  
25 district or school campus to meet safety standards established by  
26 the agency.

27 (c) With funds appropriated or otherwise available for the

1 purpose, the agency shall establish a grant program to assist  
2 school districts and open-enrollment charter schools with any cost  
3 identified by the district or school under Subsection (b)(3).

4 (d) The commissioner shall adopt rules to implement this  
5 section.

6 SECTION 5. Section 48.115, Education Code, is amended by  
7 amending Subsections (a) and (b) and adding Subsection (c-1) to  
8 read as follows:

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

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~~  
19 ~~barriers, 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~~

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

7                   ~~[(3) school safety and security training and planning,~~  
8 ~~including:~~

9                   ~~[(A) active shooter and emergency response~~  
10 ~~training;~~

11                   ~~[(B) prevention and treatment programs relating~~  
12 ~~to addressing adverse childhood experiences; and~~

13                   ~~[(C) the prevention, identification, and~~  
14 ~~management of emergencies and threats, using evidence-based,~~  
15 ~~effective prevention practices and including:~~

16                   ~~[(i) providing licensed counselors, social~~  
17 ~~workers, and individuals trained in restorative discipline and~~  
18 ~~restorative justice practices;~~

19                   ~~[(ii) providing mental health personnel and~~  
20 ~~support;~~

21                   ~~[(iii) providing behavioral health~~  
22 ~~services;~~

23                   ~~[(iv) establishing threat reporting~~  
24 ~~systems; and~~

25                   ~~[(v) developing and implementing programs~~  
26 ~~focused on restorative justice practices, culturally relevant~~  
27 ~~instruction, and providing mental health support; and~~

1           ~~[(4) providing programs related to suicide~~  
2 ~~prevention, intervention, and postvention].~~

3           (c-1) The agency, or if designated by the agency, the Texas  
4 School Safety Center, shall establish and publish a directory of  
5 approved vendors of school safety technology and equipment a school  
6 district may select from when using funds allocated under this  
7 section. If a school district uses funds allocated under this  
8 section to purchase technology or equipment from a vendor that is  
9 not included in the directory, the district must solicit bids from  
10 at least three vendors before completing the purchase.

11           SECTION 6. 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 7. (a) Except as provided by Subsection (b) of this

1 section, this Act applies beginning with the 2023-2024 school year.

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

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

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

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

12 (4) 100 percent of the applicable district employees  
13 before the beginning of the 2028-2029 school year.

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

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