

By: Howard

H.B. No. 1537

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the submission by law enforcement agencies to certain  
3 public school personnel of a handle with care notice concerning a  
4 traumatic event experienced by a public school student and to  
5 certain required training regarding those notices.

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

7 SECTION 1. Chapter 2, Code of Criminal Procedure, is  
8 amended by adding Article 2.36 to read as follows:

9 Art. 2.36. HANDLE WITH CARE NOTICE REGARDING CERTAIN PUBLIC  
10 SCHOOL STUDENTS. (a) This article applies in any situation in which  
11 a law enforcement agency determines that a public school student  
12 witnessed or otherwise experienced a traumatic event. For purposes  
13 of this article, a "traumatic event" includes the following events:

14 (1) the arrest of an individual who resides with a  
15 student;

16 (2) the execution of a search warrant at a student's  
17 residence;

18 (3) an overdose of alcohol or of a controlled  
19 substance by an individual who resides with a student;

20 (4) suicide or attempted suicide committed by an  
21 individual who resides with a student;

22 (5) an incident involving family violence, as defined  
23 by Section 71.004, Family Code;

24 (6) an incident of assault or sexual assault;

1           (7) a severe motor vehicle accident that causes bodily  
2 injury or death;

3           (8) a mass shooting;

4           (9) a student's forced displacement from the student's  
5 residence;

6           (10) an incident involving the Department of Family  
7 and Protective Services;

8           (11) a fire that causes severe property damage or  
9 bodily injury or death; or

10           (12) any other event that may negatively impact the  
11 student's ability to succeed in school.

12           (b) A law enforcement agency that determines, in the course  
13 of providing law enforcement services, that an individual who is  
14 enrolled as a student in a public primary or secondary school has  
15 experienced a traumatic event may submit a handle with care notice  
16 to the superintendent or other designated school employee at the  
17 school at which the student is enrolled.

18           (c) A handle with care notice must include, if known:

19                   (1) the student's name, age, and grade level;

20                   (2) the school at which the student is enrolled; and

21                   (3) a brief description of the traumatic event  
22 experienced by the student.

23           (d) A law enforcement agency shall submit handle with care  
24 notices using an electronic system that:

25                   (1) stores the number of notices sent and the zip code  
26 from which each notice was sent; and

27                   (2) automatically sends a copy of the notice to the

1 regional education service center serving the school at which the  
2 student who is the subject of the notice is enrolled.

3 (e) A superintendent or other designated school employee  
4 who receives a handle with care notice shall immediately provide a  
5 copy of the handle with care notice to all instructional and support  
6 personnel who have responsibility for supervision of the student  
7 who is the subject of the notice.

8 (f) Information contained in a handle with care notice  
9 authorized under this article is confidential and exempt from  
10 disclosure except as provided by this article or other applicable  
11 state and federal law. Except as provided by Subsection (e), all  
12 school personnel who receive a copy of the handle with care notice  
13 shall keep that information confidential.

14 (g) A law enforcement agency must ensure that law  
15 enforcement officers and other agency employees receive  
16 appropriate training regarding a handle with care notice, including  
17 by requiring appropriate agency personnel to attend the training  
18 established and maintained under Section 1701.2635, Occupations  
19 Code.

20 SECTION 2. Subchapter A, Chapter 38, Education Code, is  
21 amended by adding Section 38.035 to read as follows:

22 Sec. 38.035. HANDLE WITH CARE NOTICE TRAINING COURSE. (a)  
23 The agency shall establish and maintain a one-hour training course  
24 regarding handle with care notices for school district or  
25 open-enrollment charter school employees who have responsibility  
26 for the supervision of students.

27 (b) The training course must provide information on the

1 implementation of procedures relating to handle with care notices  
2 authorized under Article 2.36, Code of Criminal Procedure,  
3 including appropriate methods of monitoring and responding to a  
4 student who is the subject of a handle with care notice.

5 (c) Each school district and open-enrollment charter school  
6 shall ensure that appropriate personnel complete the training  
7 course established under this section.

8 SECTION 3. Subchapter F, Chapter 1701, Occupations Code, is  
9 amended by adding Section 1701.2635 to read as follows:

10 Sec. 1701.2635. HANDLE WITH CARE NOTICE TRAINING PROGRAM.  
11 The commission shall establish and maintain a one-hour training  
12 program for peace officers and other employees of law enforcement  
13 agencies that provides information on the implementation of  
14 procedures relating to handle with care notices authorized under  
15 Article 2.36, Code of Criminal Procedure.

16 SECTION 4. As soon as practicable after the effective date  
17 of this Act:

18 (1) the Texas Education Agency shall develop the  
19 handle with care notice training course as required by Section  
20 38.035, Education Code, as added by this Act; and

21 (2) the Texas Commission on Law Enforcement shall  
22 establish the handle with care notice training program as required  
23 by Section 1701.2635, Occupations Code, as added by this Act.

24 SECTION 5. This Act takes effect September 1, 2023.