

By: Burrows

H.B. No. 5077

A BILL TO BE ENTITLED

AN ACT

1
2 relating to licensure and training requirements for school
3 marshals.

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

5 SECTION 1. Section 37.0811(f), Education Code, is amended
6 to read as follows:

7 (f) A school district or charter school employee's status as
8 a school marshal becomes inactive on:

9 (1) expiration of the employee's school marshal
10 license under Section 1701.260, Occupations Code;

11 (2) suspension or revocation of the employee's license
12 to carry a handgun issued under Subchapter H, Chapter 411,
13 Government Code, if the employee is required to hold that license as
14 a condition of the employee's school marshal license under Section
15 1701.260, Occupations Code;

16 (3) termination of the employee's employment with the
17 district or charter school; or

18 (4) notice from the board of trustees of the district
19 or the governing body of the charter school that the employee's
20 services as school marshal are no longer required.

21 SECTION 2. Section 37.0813(f), Education Code, is amended
22 to read as follows:

23 (f) A private school employee's status as a school marshal
24 becomes inactive on:

1 (1) expiration of the employee's school marshal
2 license under Section 1701.260, Occupations Code;

3 (2) suspension or revocation of the employee's license
4 to carry a handgun issued under Subchapter H, Chapter 411,
5 Government Code, if the employee is required to hold that license as
6 a condition of the employee's school marshal license under Section
7 1701.260, Occupations Code;

8 (3) termination of the employee's employment with the
9 private school; or

10 (4) notice from the governing body that the employee's
11 services as school marshal are no longer required.

12 SECTION 3. Section 51.220(g), Education Code, is amended to
13 read as follows:

14 (g) A public junior college employee's status as a school
15 marshal becomes inactive on:

16 (1) expiration of the employee's school marshal
17 license under Section 1701.260, Occupations Code;

18 (2) suspension or revocation of the employee's license
19 to carry a concealed handgun issued under Subchapter H, Chapter
20 411, Government Code, if the employee is required to hold that
21 license as a condition of the employee's school marshal license
22 under Section 1701.260, Occupations Code;

23 (3) termination of the employee's employment with the
24 public junior college; or

25 (4) notice from the governing board of the public
26 junior college that the employee's services as school marshal are
27 no longer required.

1 SECTION 4. Subchapter C, Chapter 96, Education Code, is
2 amended by adding Section 96.42 to read as follows:

3 Sec. 96.42. CERTAIN REQUIRED TRAINING PROVIDED BY ADVANCED
4 LAW ENFORCEMENT RAPID RESPONSE TRAINING CENTER. The Advanced Law
5 Enforcement Rapid Response Training Center at Texas State
6 University--San Marcos shall offer to a person participating in a
7 school marshal training program under Section 1701.260,
8 Occupations Code, a course of instruction designed to prepare the
9 person to isolate, distract, and neutralize an active shooter.

10 SECTION 5. Section 1701.260, Occupations Code, is amended
11 by amending Subsections (a), (a-1), and (i) and adding Subsections
12 (a-2) and (c-1) to read as follows:

13 (a) The commission shall establish and maintain a training
14 program open to any employee of a school district, open-enrollment
15 charter school, private school, or public junior college who:

16 (1) holds a license to carry a handgun issued under
17 Subchapter H, Chapter 411, Government Code;

18 (2) is a retired peace officer, as defined by Section
19 1701.3161; or

20 (3) is an honorably discharged veteran of the armed
21 forces of the United States.

22 (a-1) The training under the training program may be
23 conducted only by the commission staff or a provider approved by the
24 commission.

25 (a-2) [~~(a-1)~~] In this section, "private school" has the
26 meaning assigned by Article 2.127, Code of Criminal Procedure.

27 (c-1) For the instruction required under Subsection (c)(5),

1 the commission shall require a trainee to complete a course of
2 instruction offered by the Advanced Law Enforcement Rapid Response
3 Training Center at Texas State University--San Marcos that is
4 designed to prepare the trainee to isolate, distract, and
5 neutralize an active shooter.

6 (i) The commission shall revoke the [~~a person's~~] school
7 marshal license of a person described by Subsection (a)(1) if the
8 commission is notified by the Department of Public Safety that the
9 person's license to carry a handgun issued under Subchapter H,
10 Chapter 411, Government Code, has been suspended or revoked. A
11 person whose school marshal license is revoked may obtain
12 recertification by:

13 (1) furnishing proof to the commission that the
14 person's handgun license has been reinstated; and

15 (2) completing the initial training under Subsection
16 (c) to the satisfaction of the commission staff, paying the fee for
17 the training, and demonstrating psychological fitness on the
18 psychological examination described in Subsection (d).

19 SECTION 6. Not later than April 1, 2024, the Texas
20 Commission on Law Enforcement shall develop a school marshal
21 training program under Section 1701.260, Occupations Code, as
22 amended by this Act, that may be offered over a number of
23 consecutive Saturdays during a school year.

24 SECTION 7. This Act takes effect September 1, 2023.