

By: Isaac

H.B. No. 3142

A BILL TO BE ENTITLED

AN ACT

relating to school marshals, including eligibility for appointment as a school marshal, and licensure and training requirements.

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

SECTION 1. Article 2A.008(b), Code of Criminal Procedure, is amended to read as follows:

(b) A person may not serve as a school marshal unless the person is:

(1) either:

(A) licensed under Section 1701.260, Occupations Code; or

(B) a volunteer of a school district, open-enrollment charter school, private school, or public junior college who is:

(i) an honorably discharged veteran or active duty member of the armed forces of the United States;

(ii) a peace officer;

(iii) a reserve law enforcement officer, as defined by Section 1701.001, Occupations Code; or

(iv) a retired peace officer, as defined by Section 1701.3161, Occupations Code; and

(2) appointed by:

(A) the board of trustees of a school district or the governing body of an open-enrollment charter school under

1 Section 37.0811, Education Code;

2 (B) the governing body of a private school under
3 Section 37.0813, Education Code; or

4 (C) the governing board of a public junior
5 college under Section 51.220, Education Code.

6 SECTION 2. Section 37.0811, Education Code, is amended by
7 amending Subsections (b), (f), and (h) and adding Subsection (b-1)
8 to read as follows:

9 (b) The board of trustees of a school district or the
10 governing body of an open-enrollment charter school may select for
11 appointment as a school marshal under this section an applicant who
12 is either:

13 (1) an employee of the school district or
14 open-enrollment charter school and certified as eligible for
15 appointment under Section 1701.260, Occupations Code; or

16 (2) a school district or open-enrollment charter
17 school volunteer who is:

18 (A) an honorably discharged veteran or active
19 duty member of the armed forces of the United States;

20 (B) a peace officer;

21 (C) a reserve law enforcement officer, as defined
22 by Section 1701.001, Occupations Code; or

23 (D) a retired peace officer, as defined by
24 Section 1701.3161, Occupations Code.

25 (b-1) The board of trustees of a school district or the
26 governing body of an open-enrollment charter school may, but shall
27 not be required to, reimburse the amount paid by an ~~the~~ applicant

1 for appointment as a school marshal to participate in the training
2 program under Section 1701.260, Occupations Code ~~[that section]~~.

3 (f) A person's ~~[school district or charter school~~
4 ~~employee's]~~ status as a school marshal becomes inactive on:

5 (1) expiration of the person's ~~[employee's]~~ school
6 marshal license under Section 1701.260, Occupations Code, if the
7 person is required to hold that license as a condition of the
8 person's school marshal license;

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

14 (3) termination of the person's ~~[employee's]~~
15 employment or volunteer service, as applicable, with the district
16 or charter school; or

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

20 (h) If a parent or guardian of a student enrolled at a school
21 inquires in writing, the school district or open-enrollment charter
22 school shall provide the parent or guardian written notice
23 indicating whether any person ~~[employee of the school]~~ is currently
24 appointed a school marshal. The notice may not disclose
25 information that is confidential under Subsection (g).

26 SECTION 3. Sections 37.0813(b), (f), and (h), Education
27 Code, are amended to read as follows:

(b) The governing body of a private school may select for appointment as a school marshal under this section an applicant who is either:

(1) an employee of the school and certified as eligible for appointment under Section 1701.260, Occupations Code; or

(2) a school volunteer who is:

(A) an honorably discharged veteran or active duty member of the armed forces of the United States;

(B) a peace officer;

(C) a reserve law enforcement officer, as defined by Section 1701.001, Occupations Code; or

(D) a retired peace officer, as defined by Section 1701.3161, Occupations Code.

(f) A person's [~~private school employee's~~] status as a school marshal becomes inactive on:

(1) expiration of the person's [~~employee's~~] school marshal license under Section 1701.260, Occupations Code, if the person is required to hold that license as a condition of the person's school marshal license;

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

(3) termination of the person's [~~employee's~~] employment or volunteer service, as applicable, with the private

1 school; or

2 (4) notice from the governing body that the person's
3 ~~[employee's]~~ services as school marshal are no longer required.

4 (h) If a parent or guardian of a student enrolled at a
5 private school inquires in writing, the school shall provide the
6 parent or guardian written notice indicating whether any person
7 ~~[employee of the school]~~ is currently appointed a school marshal.
8 The notice may not disclose information that is confidential under
9 Subsection (g).

10 SECTION 4. Section 51.220, Education Code, is amended by
11 amending Subsections (c), (g), and (i) and adding Subsection (c-1)
12 to read as follows:

13 (c) The governing board of a public junior college may
14 select for appointment as a school marshal under this section an
15 applicant who is either:

16 (1) an employee of the public junior college and
17 certified as eligible for appointment under Section 1701.260,
18 Occupations Code; or

19 (2) a volunteer of the public junior college who is:

20 (A) an honorably discharged veteran or active
21 duty member of the armed forces of the United States;

22 (B) a peace officer;

23 (C) a reserve law enforcement officer, as defined
24 by Section 1701.001, Occupations Code; or

25 (D) a retired peace officer, as defined by
26 Section 1701.3161, Occupations Code.

27 (c-1) The governing board of a public junior college may,

1 but shall not be required to, reimburse the amount paid by an ~~[the]~~
2 applicant for appointment as a school marshal to participate in the
3 training program under Section 1701.260, Occupations Code ~~[that~~
4 ~~section]~~.

5 (g) A person's ~~[public junior college employee's]~~ status as
6 a school marshal becomes inactive on:

7 (1) expiration of the person's ~~[employee's]~~ school
8 marshal license under Section 1701.260, Occupations Code, if the
9 person is required to hold that license as a condition of the
10 person's school marshal license;

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

16 (3) termination of the person's ~~[employee's]~~
17 employment or volunteer service, as applicable, with the public
18 junior college; or

19 (4) notice from the governing board of the public
20 junior college that the person's ~~[employee's]~~ services as school
21 marshal are no longer required.

22 (i) If a parent or guardian of a student enrolled at a public
23 junior college inquires in writing, the governing board of the
24 public junior college shall provide the parent or guardian written
25 notice indicating whether any person ~~[employee of the public junior~~
26 ~~college]~~ is currently appointed a school marshal. The notice may
27 not disclose information that is confidential under Subsection (h).

SECTION 5. Section 1701.001(8), Occupations Code, is amended to read as follows:

(8) "School marshal" means a person who:

(A) is appointed to serve as a school marshal by:

(i) the board of trustees of a school district or the governing body of an open-enrollment charter school under Section 37.0811, Education Code;

(ii) the governing body of a private school under Section 37.0813, Education Code; or

(iii) the governing board of a public junior college under Section 51.220, Education Code;

(B) is:

(i) licensed under Section 1701.260;

(ii) an honorably discharged veteran or active duty member of the armed forces of the United States;

(iii) a peace officer;

(iv) a reserve law enforcement officer; or

(v) a retired peace officer, as defined by Section 1701.3161; and

(C) has powers and duties described by Article 2A.008, Code of Criminal Procedure.

SECTION 6. Section 1701.260, Occupations Code, is amended by amending Subsections (a), (a-1), (b), (i), and (j) and adding Subsection (a-2) to read as follows:

(a) The commission shall establish and maintain a training program open to any employee or volunteer of a school district, open-enrollment charter school, private school, or public junior

1 college:

2 (1) for an employee, who holds a license to carry a
3 handgun issued under Subchapter H, Chapter 411, Government Code; or

4 (2) for a volunteer, who is:

5 (A) an honorably discharged veteran or active
6 duty member of the armed forces of the United States;

7 (B) a peace officer;

8 (C) a reserve law enforcement officer, as defined
9 by Section 1701.001; or

10 (D) a retired peace officer, as defined by
11 Section 1701.3161.

12 (a-1) The training under the training program may be
13 conducted only by the commission staff or a provider approved by the
14 commission.

15 (a-2) [~~(a-1)~~] In this section, "private school" has the
16 meaning assigned by Article 2A.008, Code of Criminal Procedure.

17 (b) The commission shall collect from each person who
18 participates in the training program identifying information that
19 includes the person's name, the person's date of birth, the license
20 number of the license issued to the person under Subchapter H,
21 Chapter 411, Government Code, and the address of the person's place
22 of employment or volunteer service, as applicable.

23 (i) The commission shall revoke the [~~a person's~~] school
24 marshal license of a person described by Subsection (a)(1) if the
25 commission is notified by the Department of Public Safety that the
26 person's license to carry a handgun issued under Subchapter H,
27 Chapter 411, Government Code, has been suspended or revoked. A

1 person whose school marshal license is revoked may obtain
2 recertification by:

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

5 (2) completing the initial training under Subsection
6 (c) to the satisfaction of the commission staff, paying the fee for
7 the training, and demonstrating psychological fitness on the
8 psychological examination described in Subsection (d).

9 (j) The commission shall submit the identifying information
10 collected under Subsection (b) for each person licensed by the
11 commission under this section to:

12 (1) the director of the Department of Public Safety;

13 (2) the ~~[person's employer, if the person is employed~~
14 ~~by a]~~ school district, open-enrollment charter school, private
15 school, or public junior college at which the person is employed or
16 volunteers;

17 (3) the chief law enforcement officer of the local
18 municipal law enforcement agency if the person is employed or
19 volunteers at a campus of a school district, open-enrollment
20 charter school, private school, or public junior college located
21 within a municipality;

22 (4) the sheriff of the county if the person is employed
23 or volunteers at a campus of a school district, open-enrollment
24 charter school, private school, or public junior college that is
25 not located within a municipality; and

26 (5) the chief administrator of any peace officer
27 commissioned under Section 37.081 or 51.203, Education Code, if the

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1 person is employed or volunteers at a school district or public
2 junior college that has commissioned a peace officer under either
3 section.

4 SECTION 7. This Act takes effect September 1, 2025.