

By: Swanson, Buckley, Talarico, Leach,  
Leo Wilson

H.B. No. 3312

Substitute the following for H.B. No. 3312:

By: Buckley

C.S.H.B. No. 3312

A BILL TO BE ENTITLED

AN ACT

relating to the preservation and release of video surveillance  
recordings of special education settings.

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

SECTION 1. Section 29.022, Education Code, is amended by  
amending Subsections (e) and (i) and adding Subsections (e-2),  
(i-2), and (i-3) to read as follows:

(e) Except as provided by Subsections ~~[Subsection]~~ (e-1)  
and (e-2), a school district or open-enrollment charter school  
shall retain video recorded from a video camera placed under this  
section for at least 12 ~~three~~ months after the date the video was  
recorded.

(e-2) A school district or open-enrollment charter school  
shall retain all available video recordings of an employee who is  
involved in an alleged incident that has been reported to the  
district or school, regardless of whether the recording documents  
the incident, until the incident has been resolved, including the  
exhaustion of all appeals.

(i) A video recording of a student made according to this  
section is confidential and may not be released or viewed except as  
provided by this subsection or Subsection (i-1), (i-2), or (j). A  
school district or open-enrollment charter school shall release a  
recording for viewing by:

(1) an employee who is involved in an alleged incident

1 that is documented by the recording and has been reported to the  
2 district or school, on request of the employee;

3 (2) a parent of a student who is involved in an alleged  
4 incident that is documented by the recording and has been reported  
5 to the district or school, on request of the parent;

6 (3) appropriate Department of Family and Protective  
7 Services personnel as part of an investigation under Section  
8 [261.406](#), Family Code;

9 (4) a peace officer, a school nurse, a district or  
10 school administrator trained in de-escalation and restraint  
11 techniques as provided by commissioner rule, or a human resources  
12 staff member designated by the board of trustees of the school  
13 district or the governing body of the open-enrollment charter  
14 school in response to a report of an alleged incident or an  
15 investigation of district or school personnel or a report of  
16 alleged abuse committed by a student; or

17 (5) appropriate agency or State Board for Educator  
18 Certification personnel or agents as part of an investigation.

19 (i-2) A school district or open-enrollment charter school  
20 may not limit the number of times an employee or a parent of a  
21 student who is involved in an alleged incident may view a recording  
22 that documents the incident. The district or school must release a  
23 recording that documents an alleged incident for viewing by the  
24 attorney of an employee or a parent of a student who is involved in  
25 the incident not later than one week after receiving a request from  
26 the attorney to view the recording.

27 (i-3) A video recording released for viewing in accordance

1 with Subsection (i-2) may be released only in a manner that complies  
2 with the Family Educational Rights and Privacy Act of 1974 (20  
3 U.S.C. Section 1232g), and the school district or open-enrollment  
4 charter school may obscure the face of a student from the recording  
5 as necessary to comply with that Act.

6       SECTION 2. This Act takes effect September 1, 2025.