

By: Carona

S.B. No. 1933

A BILL TO BE ENTITLED

AN ACT

relating to the confidentiality of information and documents collected, developed, or produced during a school district security audit.

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

SECTION 1. Section 37.108, Education Code, is amended by adding Subsections (c-1) and (c-2) to read as follows:

(c-1) Except as provided by Subsection (c-2), any document or information collected, developed, or produced during a security audit conducted under Subsection (b) is not subject to disclosure under Chapter 552, Government Code.

(c-2) A document relating to a school district's multihazard emergency operation plan is subject to disclosure if the document enables a person to:

(1) verify that the district has established a plan and determine the agencies involved in the development of the plan and the agencies coordinating with the district to respond to an emergency, including local emergency services agencies, law enforcement agencies, and fire departments;

(2) verify that the district's plan was reviewed within the last 12 months and determine the specific review dates;

(3) verify that the plan addresses the four phases of emergency management under Subsection (a);

(4) verify that district employees have been trained

1 to respond to an emergency and determine the types of training, the  
2 number of employees trained, and the person conducting the  
3 training;

4 (5) verify that each campus in the district has  
5 conducted mandatory emergency drills and exercises in accordance  
6 with the plan and determine the frequency of the drills;

7 (6) verify that the district has established a plan  
8 for responding to a train derailment if required under Subsection  
9 (d);

10 (7) verify that the district has completed a security  
11 audit under Subsection (b) and determine the date the audit was  
12 conducted, the person conducting the audit, and the date the  
13 district presented the results of the audit to the school board;

14 (8) verify that the district has addressed any  
15 recommendations by the district's board of trustees for improvement  
16 of the plan and determine the district's progress within the last 12  
17 months; and

18 (9) verify that the district has established a visitor  
19 policy and identify the provisions governing access to a district  
20 building or other district property.

21 SECTION 2. Subsections (c-1) and (c-2), Section 37.108,  
22 Education Code, as added by this Act, apply only to a request for  
23 documents or information that is received by a school district on or  
24 after the effective date of this Act. A request for documents or  
25 information that was received before the effective date of this Act  
26 is governed by the law in effect on the date the request was  
27 received, and the former law is continued in effect for that

1 purpose.

2       SECTION 3. This Act takes effect immediately if it receives  
3 a vote of two-thirds of all the members elected to each house, as  
4 provided by Section 39, Article III, Texas Constitution. If this  
5 Act does not receive the vote necessary for immediate effect, this  
6 Act takes effect September 1, 2009.