

1-1 By: Carona S.B. No. 1933  
1-2 (In the Senate - Filed March 12, 2009; March 24, 2009, read  
1-3 first time and referred to Committee on Education; April 20, 2009,  
1-4 reported adversely, with favorable Committee Substitute by the  
1-5 following vote: Yeas 7, Nays 0; April 20, 2009, sent to printer.)

1-6 COMMITTEE SUBSTITUTE FOR S.B. No. 1933 By: Davis

1-7 A BILL TO BE ENTITLED  
1-8 AN ACT

1-9 relating to the confidentiality of information and documents  
1-10 collected, developed, or produced during a school district security  
1-11 audit.

1-12 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-13 SECTION 1. Section 37.108, Education Code, is amended by  
1-14 adding Subsections (c-1) and (c-2) to read as follows:

1-15 (c-1) Except as provided by Subsection (c-2), any document  
1-16 or information collected, developed, or produced during a security  
1-17 audit conducted under Subsection (b) is not subject to disclosure  
1-18 under Chapter 552, Government Code.

1-19 (c-2) A document relating to a school district's  
1-20 multihazard emergency operation plan is subject to disclosure if  
1-21 the document enables a person to:

1-22 (1) verify that the district has established a plan  
1-23 and determine the agencies involved in the development of the plan  
1-24 and the agencies coordinating with the district to respond to an  
1-25 emergency, including local emergency services agencies, law  
1-26 enforcement agencies, and fire departments;

1-27 (2) verify that the district's plan was reviewed  
1-28 within the last 12 months and determine the specific review dates;

1-29 (3) verify that the plan addresses the four phases of  
1-30 emergency management under Subsection (a);

1-31 (4) verify that district employees have been trained  
1-32 to respond to an emergency and determine the types of training, the  
1-33 number of employees trained, and the person conducting the  
1-34 training;

1-35 (5) verify that each campus in the district has  
1-36 conducted mandatory emergency drills and exercises in accordance  
1-37 with the plan and determine the frequency of the drills;

1-38 (6) verify that the district has established a plan  
1-39 for responding to a train derailment if required under Subsection  
1-40 (d);

1-41 (7) verify that the district has completed a security  
1-42 audit under Subsection (b) and determine the date the audit was  
1-43 conducted, the person conducting the audit, and the date the  
1-44 district presented the results of the audit to the school board;

1-45 (8) verify that the district has addressed any  
1-46 recommendations by the district's board of trustees for improvement  
1-47 of the plan and determine the district's progress within the last 12  
1-48 months; and

1-49 (9) verify that the district has established a visitor  
1-50 policy and identify the provisions governing access to a district  
1-51 building or other district property.

1-52 SECTION 2. Subsections (c-1) and (c-2), Section 37.108,  
1-53 Education Code, as added by this Act, apply only to a request for  
1-54 documents or information that is received by a school district on or  
1-55 after the effective date of this Act. A request for documents or  
1-56 information that was received before the effective date of this Act  
1-57 is governed by the law in effect on the date the request was  
1-58 received, and the former law is continued in effect for that  
1-59 purpose.

1-60 SECTION 3. This Act takes effect immediately if it receives  
1-61 a vote of two-thirds of all the members elected to each house, as  
1-62 provided by Section 39, Article III, Texas Constitution. If this  
1-63 Act does not receive the vote necessary for immediate effect, this

2-1 Act takes effect September 1, 2009.

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