86R2231 GCB-D

By:  Blanco H.B. No. 257

A BILL TO BE ENTITLED

AN ACT

relating to a policy requiring public and private primary and secondary schools and public junior colleges to provide local law enforcement agencies certain information regarding certain individuals authorized to carry a handgun on a campus.

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

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

(g)  The identity of a school marshal appointed under this section is confidential, except as provided by Section 37.0814 of this code or Section 1701.260(j), Occupations Code, and is not subject to a request under Chapter 552, Government Code.

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

(g)  The identity of a school marshal appointed under this section is confidential, except as provided by Section 37.0814 of this code or Section 1701.260(j), Occupations Code, and is not subject to a request under Chapter 552, Government Code.

SECTION 3.  Subchapter C, Chapter 37, Education Code, is amended by adding Section 37.0814 to read as follows:

Sec. 37.0814.  LAW ENFORCEMENT COMMUNICATION AND COORDINATION POLICY. (a) This section applies to a school district, open-enrollment charter school, or private school that:

(1)  appoints a school marshal under Section 37.0811 or 37.0813; or

(2)  authorizes any other individual to carry a handgun for security purposes under written regulations or written authorization of the district or school.

(b)  The board of trustees of a school district or the governing body of an open-enrollment charter school or private school that is subject to this section shall adopt a policy regarding communication and coordination with local law enforcement agencies.

(c)  A policy adopted under this section must require the school district, open-enrollment charter school, or private school to:

(1)  provide each law enforcement agency that has jurisdiction over the district or school with:

(A)  a list of each campus at which an individual described by Subsection (a) is authorized to carry a handgun; and

(B)  the identity of each individual described by Subsection (a) and the campus where that individual is regularly employed; and

(2)  update, as necessary, the information provided under Subdivision (1).

(d)  Information provided to a law enforcement agency under a policy adopted under this section regarding the identity or place of employment of an individual described by Subsection (a) is confidential, may be used by the law enforcement agency only for law enforcement purposes, and is not subject to a request under Chapter 552, Government Code.

SECTION 4.  Section 51.220(h), Education Code, is amended to read as follows:

(h)  The identity of a school marshal appointed under this section is confidential, except as provided by Section 51.221 of this code or Section 1701.260(j), Occupations Code, and is not subject to a request under Chapter 552, Government Code.

SECTION 5.  Subchapter E, Chapter 51, Education Code, is amended by adding Section 51.221 to read as follows:

Sec. 51.221.  LAW ENFORCEMENT COMMUNICATION AND COORDINATION POLICY. (a) This section applies to a public junior college, as defined by Section 61.003, that appoints a school marshal under Section 51.220.

(b)  The governing board of a public junior college that is subject to this section shall adopt a policy regarding communication and coordination with local law enforcement agencies.

(c)  A policy adopted under this section must require the public junior college to:

(1)  provide each law enforcement agency that has jurisdiction over the public junior college with:

(A)  a list of each campus at which a school marshal is authorized to carry a handgun; and

(B)  the identity of each school marshal and the campus where that individual is regularly employed; and

(2)  update, as necessary, the information provided under Subdivision (1).

(d)  Information provided to a law enforcement agency under a policy adopted under this section regarding the identity or place of employment of a school marshal is confidential, may be used by the law enforcement agency only for law enforcement purposes, and is not subject to a request under Chapter 552, Government Code.

SECTION 6.  This Act takes effect September 1, 2019.