

By: Darby

H.B. No. 1471

A BILL TO BE ENTITLED

AN ACT

relating to a school security volunteer program.

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

SECTION 1. Subchapter C, Chapter 37, Education Code, is amended by adding Section 37.0814 to read as follows:

Sec. 37.0814. SCHOOL SECURITY VOLUNTEER PROGRAM. (a) In this section:

(1) "Qualified retired law enforcement officer" has the meaning assigned by 18 U.S.C. Section 926C(c).

(2) "Veteran" has the meaning assigned by Section 434.022, Government Code.

(b) The board of trustees of a school district or the governing body of an open-enrollment charter school may approve a program under which the district or school provides written regulations or written authorization for eligible persons to serve as school security volunteers by:

(1) providing security services for the district or school on school grounds, including any location in which an activity sponsored by the district or school is being conducted, and in school vehicles; and

(2) carrying a handgun in providing the security services under Subdivision (1).

(c) A person is eligible to serve as a school security volunteer for a program approved under this section only if:

1 (1) the person is not:

2 (A) an employee of the district or school;

3 (B) a contractor providing services under a
4 contract with the district or school; or

5 (C) a person who otherwise receives compensation
6 or remuneration from the district or school; and

7 (2) the person is:

8 (A) a qualified retired law enforcement officer;

9 or

10 (B) a veteran.

11 (d) A school district that approves a program under this
12 section must include the program in the district's multihazard
13 emergency operations plan required under Section 37.108. An
14 open-enrollment charter school that approves a program under this
15 section must adopt and implement measures to ensure, in an
16 emergency, coordination with the Department of State Health
17 Services and local emergency management agencies, law enforcement
18 agencies, health departments, and fire departments.

19 (e) A school district or open-enrollment charter school
20 that approves a program under this section must provide to each
21 school security volunteer a course of instruction on the safety and
22 security policies of the district or school. A district must
23 include instruction about the district's multihazard emergency
24 operations plan adopted under Section 37.108.

25 (f) A school security volunteer is immune from civil
26 liability to the same extent as a professional employee of a school
27 district under Section 22.0511. This subsection does not limit the

1 liability of a person for intentional misconduct or gross
2 negligence.

3 SECTION 2. Subchapter N, Chapter 1702, Occupations Code, is
4 amended by adding Section 1702.334 to read as follows:

5 Sec. 1702.334. SCHOOL SECURITY VOLUNTEERS. This chapter
6 does not apply to a person who serves as a school security volunteer
7 for a school district or open-enrollment charter school under a
8 program adopted under Section 37.0814, Education Code.

9 SECTION 3. The change in law made by this Act applies
10 beginning with the 2019-2020 school year.

11 SECTION 4. This Act takes effect immediately if it receives
12 a vote of two-thirds of all the members elected to each house, as
13 provided by Section 39, Article III, Texas Constitution. If this
14 Act does not receive the vote necessary for immediate effect, this
15 Act takes effect September 1, 2019.