

1-1 By: Lucio S.B. No. 1707  
1-2 (In the Senate - Filed March 6, 2019; March 14, 2019, read  
1-3 first time and referred to Committee on Education; April 4, 2019,  
1-4 reported adversely, with favorable Committee Substitute by the  
1-5 following vote: Yeas 11, Nays 0; April 4, 2019, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7				
1-8	<u>Taylor</u>	X		
1-9	<u>Lucio</u>	X		
1-10	<u>Bettencourt</u>	X		
1-11	<u>Campbell</u>	X		
1-12	<u>Fallon</u>	X		
1-13	<u>Hall</u>	X		
1-14	<u>Hughes</u>	X		
1-15	<u>Paxton</u>	X		
1-16	<u>Powell</u>	X		
1-17	<u>Watson</u>	X		
1-18	<u>West</u>	X		

1-19 COMMITTEE SUBSTITUTE FOR S.B. No. 1707 By: Lucio

1-20 A BILL TO BE ENTITLED  
1-21 AN ACT

1-22 relating to the duties of school district peace officers, school  
1-23 resource officers, and security personnel.

1-24 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-25 SECTION 1. Section 30.052(1), Education Code, is amended to  
1-26 read as follows:

1-27 (1) The governing board of the Texas School for the Deaf may  
1-28 employ security personnel, enter into a memorandum of understanding  
1-29 with a local law enforcement agency for the provision of school  
1-30 resource officers, and [may] commission peace officers in the same  
1-31 manner as a board of trustees of a school district under Section  
1-32 37.081.

1-33 SECTION 2. The heading to Section 37.081, Education Code,  
1-34 is amended to read as follows:

1-35 Sec. 37.081. SCHOOL DISTRICT PEACE OFFICERS, SCHOOL  
1-36 RESOURCE OFFICERS, AND SECURITY PERSONNEL.

1-37 SECTION 3. Section 37.081, Education Code, is amended by  
1-38 amending Subsections (a) and (d) and adding Subsections (d-1),  
1-39 (d-2), (d-3), and (d-4) to read as follows:

1-40 (a) The board of trustees of any school district may employ  
1-41 security personnel, enter into a memorandum of understanding with a  
1-42 local law enforcement agency for the provision of school resource  
1-43 officers, and [may] commission peace officers to carry out this  
1-44 subchapter. If a board of trustees authorizes a person employed as  
1-45 security personnel to carry a weapon, the person must be a  
1-46 commissioned peace officer. The jurisdiction of a peace officer, a  
1-47 school resource officer, or security personnel under this section  
1-48 shall be determined by the board of trustees and may include all  
1-49 territory in the boundaries of the school district and all property  
1-50 outside the boundaries of the district that is owned, leased, or  
1-51 rented by or otherwise under the control of the school district and  
1-52 the board of trustees that employ the peace officer or security  
1-53 personnel or that enter into a memorandum of understanding for the  
1-54 provision of a school resource officer.

1-55 (d) ~~The [A school district peace officer shall perform law~~  
1-56 ~~enforcement duties for the school district as determined by the]~~  
1-57 board of trustees of the school district shall determine the law  
1-58 enforcement duties of peace officers, school resource officers, and  
1-59 security personnel. The duties must be included in:

1-60 (1) the district improvement plan under Section

2-1 11.252;  
2-2 (2) the student code of conduct adopted under Section  
2-3 37.001;  
2-4 (3) any memorandum of understanding providing for a  
2-5 school resource officer; and  
2-6 (4) any other campus or district document describing  
2-7 the role of peace officers, school resource officers, or security  
2-8 personnel in the district.  
2-9 (d-1) A school district peace officer, a school resource  
2-10 officer, and security personnel shall perform law enforcement  
2-11 duties for the school district that ~~[These duties]~~ must include  
2-12 protecting:  
2-13 (1) the safety and welfare of any person in the  
2-14 jurisdiction of the peace officer, resource officer, or security  
2-15 personnel; and  
2-16 (2) the property of the school district.  
2-17 (d-2) A school district may not assign or require as duties  
2-18 of a school district peace officer, a school resource officer, or  
2-19 security personnel:  
2-20 (1) routine student discipline or school  
2-21 administrative tasks; or  
2-22 (2) contact with students unrelated to the law  
2-23 enforcement duties of the peace officer, resource officer, or  
2-24 security personnel.  
2-25 (d-3) This section does not prohibit a school district peace  
2-26 officer, a school resource officer, or security personnel from  
2-27 informal contact with a student unrelated to:  
2-28 (1) the assigned duties of the officer or security  
2-29 personnel; or  
2-30 (2) an incident involving student behavior or law  
2-31 enforcement.  
2-32 (d-4) In determining the law enforcement duties under  
2-33 Subsection (d), the board of trustees of the school district shall  
2-34 coordinate with district campus behavior coordinators and other  
2-35 district employees to ensure that school district peace officers,  
2-36 school resource officers, and security personnel are tasked only  
2-37 with duties related to law enforcement intervention and not tasked  
2-38 with behavioral or administrative duties better addressed by other  
2-39 district employees.  
2-40 SECTION 4. This Act takes effect immediately if it receives  
2-41 a vote of two-thirds of all the members elected to each house, as  
2-42 provided by Section 39, Article III, Texas Constitution. If this  
2-43 Act does not receive the vote necessary for immediate effect, this  
2-44 Act takes effect September 1, 2019.

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