87R3646 MEW-D

By:  Kolkhorst S.B. No. 838

A BILL TO BE ENTITLED

AN ACT

relating to the authorization by a school district or open-enrollment charter school for a person to carry or possess a weapon on school premises for purposes of safety and security.

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 GUARDIANS. (a) In this section, "school guardian" means a person who, pursuant to the written regulations or written authorization of a school district or open-enrollment charter school under Section 46.03(a)(1)(A), Penal Code, is authorized to carry or possess a specified weapon for the purpose of providing safety and security on the physical premises of a school, any grounds or building on which an activity sponsored by a school is being conducted, or a passenger transportation vehicle of a school. The term does not include a school marshal, as defined by Section 1701.001, Occupations Code, or a commissioned peace officer.

(b)  The Texas School Safety Center shall develop best practices for school districts and open-enrollment charter schools that authorize school guardians to provide safety and security.

(c)  A school district or open-enrollment charter school that authorizes school guardians shall report the identity of each school guardian to:

(1)  the Texas School Safety Center, in the form and manner prescribed by the center; and

(2)  a local law enforcement agency, on written request of the head of the agency.

(d)  Information on the identity of a school guardian reported under Subsection (c) is confidential and is not subject to disclosure under Chapter 552, Government Code, by a school district, an open-enrollment charter school, the Texas School Safety Center, or a law enforcement agency.

SECTION 2.  This Act takes effect September 1, 2021.