87R657 GCB-D

By:  Lucio S.B. No. 892

A BILL TO BE ENTITLED

AN ACT

relating to a school district or open-enrollment charter school adopting a policy allowing a school employee to carry or possess a handgun on school property or at a school event.

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

SECTION 1.  Section 37.0811, Education Code, is amended by amending Subsection (a) and adding Subsection (a-1) to read as follows:

(a)  The board of trustees of a school district or the governing body of an open-enrollment charter school may appoint school marshals under this section only if a school marshal policy is adopted by the board or governing body by a record vote taken at a public meeting. Before adopting the school marshal policy, the board or governing body must provide a reasonable period for public comment regarding the policy.

(a-1)  The board of trustees of a school district or the governing body of an open-enrollment charter school may appoint, under the policy adopted under Subsection (a), one or more school marshals for each campus.

SECTION 2.  Subchapter C, Chapter 37, Education Code, is amended by adding Section 37.0816 to read as follows:

Sec. 37.0816.  POLICY AUTHORIZING PERSON TO CARRY OR POSSESS HANDGUN. The board of trustees of a school district or the governing body of an open-enrollment charter school may not authorize a person to carry or possess a handgun for which the person is licensed under Subchapter H, Chapter 411, Government Code, on the physical premises of a campus or school, any grounds or building on which an activity sponsored by a school or campus is being conducted, or a passenger transportation vehicle of a school or campus, unless, by a record vote taken at a public meeting, the board or governing body adopts a policy allowing a person to carry or possess a handgun in accordance with Section 46.03(a)(1), Penal Code. A public meeting held to adopt a policy described by this section must provide for a reasonable period for public comment regarding the policy.

SECTION 3.  Not later than September 1, 2022, each board of trustees of a school district and each governing body of an open-enrollment charter school that, before the effective date of this Act, has appointed a school marshal under Section 37.0811, Education Code, or has otherwise authorized any person to carry or possess a handgun in the manner described by Section 37.0816, Education Code, as added by this Act, shall hold a public meeting and allow for public comment on the appointment of school marshals or authorization to carry or possess a handgun, as applicable.

SECTION 4.  This Act takes effect September 1, 2021.