

By: Lucio

S.B. No. 892

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to a school district or open-enrollment charter school  
3 adopting a policy allowing a school employee to carry or possess a  
4 handgun on school property or at a school event.

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

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

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

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

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

22 Sec. 37.0816. POLICY AUTHORIZING PERSON TO CARRY OR POSSESS  
23 HANDGUN. The board of trustees of a school district or the  
24 governing body of an open-enrollment charter school may not

1 authorize a person to carry or possess a handgun for which the  
2 person is licensed under Subchapter H, Chapter 411, Government  
3 Code, on the physical premises of a campus or school, any grounds or  
4 building on which an activity sponsored by a school or campus is  
5 being conducted, or a passenger transportation vehicle of a school  
6 or campus, unless, by a record vote taken at a public meeting, the  
7 board or governing body adopts a policy allowing a person to carry  
8 or possess a handgun in accordance with Section 46.03(a)(1), Penal  
9 Code. A public meeting held to adopt a policy described by this  
10 section must provide for a reasonable period for public comment  
11 regarding the policy.

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

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