

House Bill 3597
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

SECTION 1. Sections 37.108(c-2) and (d), Education Code, are amended to read as follows:

(c-2) A document relating to a school district's or public junior college district's multihazard emergency operations plan is subject to disclosure if the document enables a person to:

(1) verify that the district has established a plan and determine the agencies involved in the development of the plan and the agencies coordinating with the district to respond to an emergency, including the Department of State Health Services, local emergency services agencies, law enforcement agencies, health departments, and fire departments;

(2) verify that the district's plan was reviewed within the last 12 months and determine the specific review dates;

(3) verify that the plan addresses the five [~~four~~] phases of emergency management under Subsection (a);

(4) verify that district employees have been trained to respond to an emergency and determine the types of training, the number of employees trained, and the person conducting the training;

(5) verify that each campus in the district has conducted mandatory emergency drills and exercises in accordance with the plan and determine the frequency of the drills;

(6) if the district is a school district, verify that the district has established a plan for responding to a train derailment if required under Subsection (d);

(7) verify that the district has completed a safety and security audit under Subsection (b) and determine the date the audit was conducted, the person conducting the audit, and the date the district presented the results of the audit to the district's board of trustees;

(8) verify that the district has addressed any

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recommendations by the district's board of trustees for improvement of the plan and determine the district's progress within the last 12 months; and

(9) if the district is a school district, verify that the district has established a visitor policy and identify the provisions governing access to a district building or other district property.

(d) A school district shall include in its multihazard emergency operations plan a policy for responding to a train derailment near a district school. A school district is only required to adopt the policy described by this subsection if a ~~district~~ school district facility is located within 1,000 yards of a railroad track, as measured from any point on the school's real property boundary line. The school district may use any available community resources in developing the policy described by this subsection.

SECTION 2. Section 37.114, Education Code, is amended to read as follows:

Sec. 37.114. **EMERGENCY EVACUATIONS; MANDATORY SCHOOL DRILLS.** The commissioner, in consultation with the Texas School Safety Center and the state fire marshal, shall adopt rules:

(1) providing procedures for evacuating and securing school property during an emergency; and

(2) designating the number and type of mandatory school drills to be conducted each semester of the school year, not to exceed a total of eight drills~~[-, including designating the number of:~~

~~[(A) evacuation fire exit drills; and~~

~~[(B) lockdown, lockout, shelter in place, and evacuation~~

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drills].

SECTION 3. Section 37.115(d), Education Code, is amended to read as follows:

(d) The superintendent of the district shall ensure, to the greatest extent practicable, that the members appointed to each team have expertise in counseling, behavior management, mental health and substance use, classroom instruction, special education, school administration, school safety and security, emergency management, and law enforcement. A team may serve more than one campus of a school district, provided that each district campus is assigned a team.

SECTION 3. Same as House version.

SECTION 4. Section 37.207(e), Education Code, is amended to read as follows:

(e) If three [~~six~~] months after the date of the initial notification required by Subsection (d) the district has still not reported the results of its audit to the center, the center shall notify the agency and the district of the district's requirement to conduct a public hearing under Section 37.1081. This subsection applies only to a school district.

SECTION 4. Same as House version.

SECTION 5. Section 37.2121, Education Code, is amended by amending Subsection (d) and adding Subsection (d-1) to read as follows:

(d) Each school district that enters into a memorandum of understanding or mutual aid agreement addressing issues that affect school safety and security shall, at the center's request,

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provide a copy of the memorandum or agreement [following information] to the center[:

~~[(1) the name of each entity with which the school district has entered into a memorandum of understanding or mutual aid agreement;~~

~~[(2) the effective date of each memorandum or agreement; and~~

~~[(3) a summary of each memorandum or agreement].~~

(d-1) A copy of a memorandum of understanding or mutual aid agreement provided to the center under Subsection (d) is confidential and not subject to disclosure under Chapter 552, Government Code.

SECTION 6. Subchapter F, Chapter 411, Government Code, is amended by adding Section 411.14055 to read as follows:
Sec. 411.14055. ACCESS TO CRIMINAL HISTORY RECORD INFORMATION: TEXAS STATE UNIVERSITY.
Texas State University is entitled to obtain from the department criminal history record information maintained by the department that relates to a person who is registering with the Texas School Safety Center to provide school safety or security consulting services under Section 37.2091, Education Code.

SECTION 7. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2021.

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SECTION 6. Subchapter F, Chapter 411, Government Code, is amended by adding Section 411.14055 to read as follows:
Sec. 411.14055. ACCESS TO CRIMINAL HISTORY RECORD INFORMATION: TEXAS SCHOOL SAFETY CENTER.
The Texas School Safety Center at Texas State University is entitled to obtain from the department criminal history record information maintained by the department that relates to a person who is registering with the Texas School Safety Center to provide school safety or security consulting services under Section 37.2091, Education Code.

SECTION 7. Same as House version.

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