By:  Guillen H.B. No. 110

A BILL TO BE ENTITLED

AN ACT

relating to the school safety allotment under the public school finance system; making an appropriation.

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

SECTION 1.  Section 37.0814, Education Code, is amended by amending Subsection (b) to read as follows:

Sec. 37.0814.  ARMED SECURITY OFFICER REQUIRED. (a) The board of trustees of each school district shall determine the appropriate number of armed security officers for each district campus. The board must ensure that at least one armed security officer is present during regular school hours at each district campus.

(b)  A security officer described by Subsection (a) must be:

(1)  a school district peace officer;

(2)  a school resource officer; ~~or~~

(3)  a commissioned peace officer employed as security personnel under Section 37.081; or

(4)  a canine unit as defined by Section 108.001, Business and Commerce Code.

(c)  If the board of trustees of a school district is unable to comply with this section, the board may claim a good cause exception from the requirement to comply with this section if the district's noncompliance is due to the availability of:

(1)  funding; or

(2)  personnel who qualify to serve as a security officer described by Subsection (a).

(d)  The board of trustees of a school district that claims a good cause exception under Subsection (c) must develop an alternative standard with which the district is able to comply, which may include providing a person to act as a security officer who is:

(1)  a school marshal; or

(2)  a school district employee or a person with whom the district contracts who:

(A)  has completed school safety training provided by a qualified handgun instructor certified in school safety under Section 411.1901, Government Code; and

(B)  carries a handgun on school premises in accordance with written regulations or written authorization of the district under Section 46.03(a)(1)(A), Penal Code.

(e)  The board of trustees of a school district must develop and maintain documentation of the district's implementation of and compliance with this section, including documentation related to a good cause exception claimed under Subsection (c), and shall, if requested by the agency, provide that documentation to the agency in the manner prescribed by the agency.

SECTION 2.  Section 48.115, Education Code, is amended by amending Subsection (a) and adding Subsection (a-2) to read as follows:

Sec. 48.115.  SCHOOL SAFETY ALLOTMENT. (a) Except as provided by Subsections (a-1) and (a-2), a school district is entitled to an annual allotment equal to the sum of the following amounts or a greater amount provided by appropriation:

(1)  $100 [~~$10~~] for each student in average daily attendance, plus $1 for each student in average daily attendance per every $50 by which the district's maximum basic allotment under Section 48.051 exceeds $6,160, prorated as necessary; and

(2)  $100,000 [~~$15,000~~] per campus.

(a-1)  A school district campus that provides only virtual instruction or utilizes only facilities not subject to the district's control is not included for purposes of determining a school district's allotment under Subsection (a).

(a-2)  Beginning with the 2024-2025 school year, to be eligible to receive an allotment under Subsection (a), a school district must ensure that:

(1)  during regular school hours at least one security officer armed with a firearm is present at each district campus. For purposes of this subsection, a security officer must be:

(A)  a school district peace officer;

(B)  a school resource officer;

(C)  a commissioned peace officer employed as security personnel under Section 37.081; or

(D)  a canine unit as defined by Section 108.001, Business and Commerce Code; and

(2)  at least one school marshal, school resource officer, commissioned peace officer, school district peace officer, or canine unit, armed with a firearm and who has at minimum received training comparable to section 1701.260(c), Occupations Code, is appointed, assigned, or employed for every 200 enrolled students.

SECTION 3.  Section 18.78, Article IX, Chapter 1170 (H.B. 1), Acts of the 88th Legislature, Regular Session, 2023 (the General Appropriations Act), is amended by adding Subsections (m) and (n) to read as follows:

(m)  It is the intent of the legislature that money appropriated under Subsection (c) of this section be expended equally in each year of the 2024-25 fiscal biennium, not including any supplemental funds appropriated in 2025 for the same or a similar purpose.

(n)  In addition to amounts appropriated elsewhere in this Act, TEA is appropriated $2,000,000,000 from general revenue to implement the provisions of H.B.\_\_\_, Acts of the 88th Legislature, 4th Called Session, 2023.

SECTION 4.  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 on the 91st day after the last day of the legislative session.