

BILL ANALYSIS

Senate Research Center

H.B. 3
By: Burrows et al. (Nichols)
Education
5/9/2023
Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Public schools in Texas have unfortunately seen violence due to poor safety procedures, lack of communication among agencies responsible for emergency response, and outdated or unenforced emergency operation standards. H.B. 3 seeks to provide schools in Texas with a new standard of emergency preparedness and response while also ensuring adequate state funding is provided to school districts through the school safety allotment to ensure that schools are able to be defended and new emergency operation standards can be implemented. The bill also provides for routine school safety audits to ensure that the updated standards are being followed and schools are better prepared for any future emergency events.

H.B. 3 amends current law relating to the development of, implementation of, and funding for public school safety and security requirements.

RULEMAKING AUTHORITY

Rulemaking authority previously granted to the commissioner of education is modified in SECTION 2 (Section 7.061, Education Code) of this bill.

Rulemaking authority is expressly granted to the commissioner of education in SECTION 12 (Sections 37.1084 and 37.1085, Education Code) and SECTION 14 (Section 37.119, Education Code) of this bill.

Rulemaking authority is expressly granted to the Department of Information Resources in SECTION 14 (Section 37.119, Education Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 7.028(a), Education Code, to create an exception under Section 37.1084.

SECTION 2. Amends Section 7.061(c), Education Code, as follows:

(c) Requires the commissioner of education (commissioner), in reviewing and amending the rules adopted or amended under Section 7.061 (Facilities Standards), to:

(1) in consultation with the Texas School Safety Center (center), identify and adopt any changes recommended under Section 37.221; and

(2) require that new and, to the extent feasible, existing school facilities meet or exceed the amended building standards.

SECTION 3. Amends Section 11.201(c), Education Code, as follows:

(c) Prohibits the board of trustees of an independent school district from making a severance payment to a superintendent who was terminated as a result of the district's noncompliance with safety and security requirements as provided by Section 37.1085.

SECTION 4. Reenacts Section 12.104(b), Education Code, as amended by Chapters 542 (S.B. 168), 887 (S.B. 1697), 915 (H.B. 3607), 974 (S.B. 2081), and 1046 (S.B. 1365), Acts of the 87th Legislature, Regular Session, 2021, and amends it, as follows:

(b) Provides that an open-enrollment charter school is subject to certain conditions, including a prohibition, restriction, or requirement, as applicable, imposed by Title 2 (Public Education) or a rule adopted under this title, relating to certain information, including school safety requirements under certain statutes, including Sections 37.0814, 37.1084, and 37.1085. Makes a nonsubstantive change.

SECTION 5. Amends Section 29.202(a), Education Code, as follows:

(a) Provides that a student is eligible to receive a public education grant or to attend another public school in the district in which the student resides under Subchapter G (Public Education Grant Program) if the student is assigned to attend a public school campus meeting certain criteria, including having been determined by the commissioner to be noncompliant with safety and security requirements under Section 37.1085. Makes nonsubstantive changes.

SECTION 6. Amends Section 37.081, Education Code, by amending Subsection (a) and adding Subsections (a-1), (a-2), and (a-3), as follows:

(a) Authorizes the board of trustees of any school district to employ or contract with security personnel, enter into a memorandum of understanding with a local law enforcement agency or a county or municipality that is the employing political subdivision of commissioned peace officers for the provision of school resource officers, contract with a security services contractor licensed under Chapter 1702 (Private Security), Occupations Code, for the provision of a level two or three commissioned security officer, as defined by Section 1702.002 (Definitions), Occupations Code, and commission peace officers to carry out this subchapter. Deletes existing text requiring a person employed as security personnel, if a board of trustees authorizes the person to carry a weapon, to be a commissioned peace officer.

(a-1) Requires that a memorandum of understanding for the provision of school resource officers entered into under Subsection (a):

(1) be in the form of an interlocal contract under Chapter 791 (Interlocal Cooperation Contracts), Government Code; and

(2) use a proportionate cost allocation methodology to address any costs or fees incurred by the school district or the local law enforcement agency, county, or municipality, as applicable.

(a-2) Provides that the cost allocation methodology used under Subsection (a-1)(2) is authorized to allow a local law enforcement agency, county, or municipality, as applicable, to recoup direct costs incurred as a result of the contract but is prohibited from allowing the agency, county, or municipality to profit under the contract.

(a-3) Authorizes a school district, local law enforcement agency, county, or municipality that enters into a memorandum of understanding under Subsection (a) to seek funding from federal, state, and private sources to support the cost of providing school resource officers under Section 37.081 (School District Peace Officers, School Resource Officers, and Security Personnel).

SECTION 7. Amends Subchapter C, Chapter 37, Education Code, by adding Section 37.0814, as follows:

Sec. 37.0814. ARMED SECURITY OFFICER REQUIRED. (a) Requires the board of trustees of each school district to determine the appropriate number of armed security

officers for each district campus. Requires the board to ensure at least one armed security officer is present during regular school hours at each district campus.

(b) Requires a security officer described by Subsection (a) to be:

(1) a school district peace officer;

(2) a school resource officer;

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

(4) an individual who holds a level 3 license issued under Chapter 1702, Occupations Code;

(5) a school marshal; or

(6) 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 (School Safety Certification for Qualified Handgun Instructors), Government Code; and

(B) carries a handgun on his or her person while on school premises in accordance with written regulations or written authorization of the district under Section 46.03(a)(1)(A) (relating to providing that a person commits an offense if the person intentionally, knowingly, or recklessly possesses or goes with a firearm, location-restricted knife, club, or prohibited weapon on certain premises, whether the school or educational institution is public or private, unless pursuant to written regulations or written authorization of the institution), Penal Code.

(c) Prohibits a security officer described by Subsection (a), subject to Subsection (d), from performing the routine law enforcement duties of a peace officer, including making arrests, unless the duty is performed in response to an emergency that poses a threat of death or serious bodily injury to a student, school district employee, or other individual at the district campus.

(d) Provides that Subsection (c) does not apply to a commissioned peace officer who is assigned law enforcement duties that are included in campus and district documents describing the role of peace officers in the district as required by Section 37.081(d) but who is also fulfilling the role of armed security officer at the district under this section.

(e) Requires a local law enforcement agency to apply the same policies, procedures, and fee structures to each memorandum of understanding entered into by the law enforcement agency with a school district for the provision of a school resource officer to act as an armed security officer in accordance with this section.

SECTION 8. Amends Section 37.108, Education Code, by amending Subsections (a) and (b) and adding Subsection (h), as follows:

(a) Requires that the multihazard emergency operations plan (plan) address prevention, mitigation, preparedness, response, and recovery as defined by the center in conjunction with the governor's office of homeland security, the commissioner, and the commissioner of higher education, rather than the governor's office of homeland security and the

commissioner or commissioner of higher education as applicable. Requires that the plan provide for:

(1)-(4) makes no changes to these subdivisions;

(5)-(6) makes nonsubstantive changes to these subdivisions;

(7) evidence-based strategies to create positive and safe school environments, including:

(A) family engagement programs;

(B) employee trainings on multi-tiered systems of support for academic and behavioral success;

(C) efforts to respond to chronic absenteeism;

(D) trauma-informed practices as defined in Section 38.036 (Trauma-Informed Care Policy); and

(E) opportunities for community feedback on the implementation of the measures required by this subdivision; and

(8) any other requirements established by the center in consultation with the Texas Education Agency (TEA).

(b) Requires each school district or public junior college district, at least once every three years, to conduct a safety and security audit of the district's facilities. Requires a district, rather than requires a district to the extent possible, to follow safety and security audit procedures developed by the center in coordination with the commissioner or commissioner of higher education, as applicable, or a person included in the registry established by the center under Section 37.2091 (Registry of Persons Providing School Safety or Security Consulting Services).

(h) Requires the center and TEA to provide school safety-related data collected by the center or TEA to each other on request.

SECTION 9. Amends Section 37.1081(a), Education Code, as follows:

(a) Requires the board of trustees of a school district, if the board receives notice of noncompliance under certain statutes, including Section 37.2071(d), to hold a public hearing to notify the public of certain information. Makes a nonsubstantive change.

SECTION 10. Amends the heading to Section 37.1082, Education Code, to read as follows:

Sec. 37.1082. **MULTIHAZARD EMERGENCY OPERATIONS PLAN NONCOMPLIANCE; APPOINTMENT OF AGENCY MONITOR, CONSERVATOR, OR BOARD OF MANAGERS.**

SECTION 11. Amends Sections 37.1082(a) and (b), Education Code, as follows:

(a) Authorizes the commissioner, if TEA receives notice from the center of a school district's failure to submit a plan, to appoint a TEA monitor, rather than a conservator, for the district under Chapter 39A (Accountability Interventions and Sanctions). Authorizes the TEA monitor, rather than the conservator, to participate in and report to TEA on the district's adoption, implementation, and submission of a plan, rather than to order the district to adopt, implement, and submit a plan.

(b) Authorizes the commissioner, if a district fails to comply with a TEA monitor's requests regarding the district's adoption, implementation, and submission of a plan,

rather than with a conservator's order to adopt, implement, and submit a plan, within the time frame imposed by the commissioner, to appoint a conservator or board of managers under Chapter 39A to oversee the operations of the district.

SECTION 12. Amends Subchapter D, Chapter 37, Education Code, by adding Sections 37.1084 and 37.1085, as follows:

Sec. 37.1084. AGENCY MONITORING OF SCHOOL DISTRICT SAFETY AND SECURITY REQUIREMENTS. (a) Requires TEA to monitor school district compliance with safety and security requirements, including by annually conducting on-site audits of school districts. Authorizes TEA to conduct the on-site audits using a cycle of random selection. Requires that the on-site audits be conducted in accordance with criteria developed by TEA in consultation with the center.

(b) Requires that the monitoring include intruder detection audits of each school district to determine whether an intruder could gain unsecured, unauthorized access to a district campus. Requires TEA to ensure that an intruder detection audit is conducted annually at each school district and that the audit includes an on-site audit of not less than 25 percent of the district's campuses.

(c) Authorizes TEA to establish an office of school safety and security within TEA to coordinate TEA's monitoring of school district compliance with safety and security requirements under this section. Requires the head of an office of school safety and security established under this subsection to report directly to the commissioner.

(d) Requires TEA, in coordination with the center, to provide technical assistance to support implementation of school district plans and safety and security audits and other school district safety and security requirements.

(e) Authorizes TEA to use or require the use of third parties to conduct the monitoring required under this section.

(f) Authorizes TEA and the center to identify, develop, and make available to school districts information to assist districts in the implementation and operation of safety and security requirements, including relevant:

- (1) guidelines;
- (2) techniques;
- (3) blueprints;
- (4) best practices; and
- (5) procedures.

(g) Authorizes TEA to require a school district to submit information necessary for TEA to conduct an on-site audit or otherwise monitor school district compliance with safety and security requirements under this section, including:

- (1) notice of an event requiring a district's emergency response; and
- (2) information regarding the district's response and use of emergency operations procedures during an event described by Subdivision (1).

(h) Authorizes TEA to review school district records as necessary to ensure compliance with this subchapter and Subchapter G.

(i) Provides that any document or information collected, identified, developed, or produced relating to the monitoring of school district safety and security requirements under this section is confidential under Sections 418.177 (Confidentiality of Certain Information Relating to Risk or Vulnerability Assessment) and 418.181 (Confidentiality of Certain Information Relating to Critical Infrastructure), Government Code, and not subject to disclosure under Chapter 552 (Public Information), Government Code.

(j) Authorizes the commissioner to adopt rules as necessary to administer this section.

Sec. 37.1085. ACTIONS BASED ON NONCOMPLIANCE WITH SAFETY AND SECURITY REQUIREMENTS. (a) Authorizes the commissioner, for purposes of this section, to determine that a school district or a campus of the district is noncompliant with the safety and security requirements under Section 37.1084 if the district fails to:

(1) submit to the required monitoring under that section;

(2) comply with applicable safety and security requirements; or

(3) address in a reasonable time period, as determined by commissioner rule, issues raised by TEA's monitoring of the district under that section.

(b) Provides that a student enrolled in a school district determined to be noncompliant under Subsection (a) is eligible to receive a public education grant to attend a school in a district other than the district in which the student resides as provided by Subchapter G, Chapter 29.

(c) Prohibits the board of trustees of a school district, if the superintendent or an administrator of the district is terminated by the board as a result of a determination that the district was noncompliant under Subsection (a), from making a severance payment of any amount to the superintendent or administrator.

(d) Authorizes the commissioner to adopt rules as necessary to implement this section.

SECTION 13. Amends Section 37.115, Education Code, by adding Subsections (j-1) and (j-2), as follows:

(j-1) Requires that materials and information provided to or produced by a team during a threat assessment of a student under Section 37.115 (Threat Assessment and Safe and Supportive School Program and Team) be maintained in the student's school record until the student's 24th birthday.

(j-2) Prohibits the board of trustees of a school district, if a person destroys material or information described by Subsection (j-1) before the period of maintenance required under that subsection has expired, from renewing the person's employment contract with the school district.

SECTION 14. Amends Subchapter D, Chapter 37, Education Code, by adding Section 37.119, as follows:

Sec. 37.119. STATEWIDE SCHOOL SAFETY COOPERATIVE CONTRACT PROGRAM FOR DESIGNATED TECHNOLOGIES; GRANTS. (a) Requires the Department of Information Resources (DIR), in consultation with TEA and the center, to develop a statewide school safety cooperative contract program under which DIR:

(1) designates certain school safety technologies that a school district or open-enrollment charter school participating in the program is authorized

to procure only under a designated statewide school safety cooperative contract approved under this section; and

(2) approves statewide school safety cooperative contracts with vendors to provide each technology designated under Subdivision (1).

(b) Provides that DIR, in designating technologies for purposes of this section:

(1) is required to include school security solutions technologies that consist primarily of software applications and are typically sold on a recurring basis by a vendor of that technology, including:

- (A) software-based access control solutions;
- (B) software-based emergency mass notification solutions;
- (C) video management or monitoring services;
- (D) video-analytic firearm detection and alerting systems; and
- (E) automated emergency response solutions; and

(2) is prohibited from designating:

- (A) physical security threat assessments;
- (B) hardware products, including security cameras that are sold as a one-time, fixed-cost product;
- (C) physical security hardening products, including fencing, ballistic glass, door reinforcements, and similar products;
- (D) radios and other general communication devices; or
- (E) enhanced mapping products that are sold as a one-time cost product with a minimal recurring annual fee.

(c) Requires DIR, in consultation with TEA and the center, before approving and entering into a statewide school safety cooperative contract with a vendor to provide a designated technology under this section, to:

- (1) ensure the technology contracted for meets the required specifications under Subsection (d);
- (2) consider the purchase price of that technology compared to the price provided by other vendors or for similar technologies; and
- (3) consider any other relevant factors.

(d) Requires DIR, in selecting a vendor of a designated technology for a statewide school safety cooperative contract, to:

- (1) ensure that the technology provided by that vendor:
 - (A) is capable of being fully integrated into a statewide system for which the vendor provides continuous uptime remote monitoring and auditing functionality;
 - (B) is developed in the United States without the use of any third-party or open-source data;

(C) is compliant with any applicable requirements under the National Defense Authorization Act (10 U.S.C. Section 2679); and

(D) if the technology uses software, has an application programming interface that is accessible to enable integration with other software; and

(2) to the extent possible, prioritize technologies:

(A) designated as qualified technology under the federal SAFETY Act (6 U.S.C. Section 441 et seq.); and

(B) provided by a vendor that:

(i) is financially stable;

(ii) has demonstrated capability and responsibility through a sustained history of successful deployments of the technology at schools; and

(iii) is able to provide reliable maintenance and support.

(e) Prohibits a school district or open-enrollment charter school that enters an agreement to participate in the statewide school safety cooperative contract program under this section from purchasing a technology designated under this section except under the applicable approved cooperative contract.

(f) Requires TEA, from funds appropriated for the purpose, to provide to school districts and open-enrollment charter schools that participate in the statewide school safety cooperative contract program grants for the purchase of designated technologies under an applicable approved cooperative contract.

(g) Authorizes DIR and the commissioner to adopt rules as necessary to implement this section.

SECTION 15. Amends Sections 37.2071(b), (c), (d), (f), (g), and (h), Education Code, as follows:

(b) Requires a school district or public junior college district to submit its plan to the center:

(1) not later than the 30th day after the date the center requests the submission, rather than on the request of the center; and

(2) creates this subdivision from existing text.

(c) Requires the center to review each district's plan submitted under Subsection (b) and:

(1) makes no changes to this subdivision; or

(2) provide the district with written notice, including specific recommendations to correct the deficiencies.

Makes nonsubstantive changes.

(d) Requires the center, if a district fails to submit its plan to the center for review following a notification by the center that the district has failed to submit the district's plan, to provide the district with written notice stating that the district is required to hold a public hearing under Section 37.1081. Deletes existing text requiring the center, if a

district fails to submit its plan to the center for review, to provide the district with written notice stating that the district has failed to submit a plan and is required to submit a plan to the center for review and verification.

(f) Requires the center, if one month after the date of initial notification of a plan's deficiencies under Subsection (c)(2) a district has not corrected the plan deficiencies, rather than if three months after the date of initial notification of a plan's deficiencies under Subsection (c)(2) or failure to submit a plan under Subsection (d) a district has not corrected the plan deficiencies or has failed to submit a plan, to provide written notice to the district and TEA that the district has not complied with the requirements of this section and is required to comply immediately.

(g) Requires the center, if a school district still has not corrected the plan deficiencies three months after the date of initial notification under Subsection (c)(2), rather than if a school district still has not corrected the plan deficiencies or has failed to submit a plan six months after the date of initial notification under Subsection (c)(2) or (d), to provide written notice to the school district stating that the district is required to hold a public hearing under Section 37.1081.

(h) Requires that the notice required by Subsection (d), rather than Subsection (g), if a school district has failed to submit a plan, state that the commissioner is authorized to appoint an agency monitor, rather than a conservator, under Section 37.1082.

SECTION 16. Amends Section 37.2091, Education Code, by adding Subsection (b-1), as follows:

(b-1) Requires a school district to confirm that a person is included in the registry established under Subsection (b) (relating to requiring the center to establish a registry of persons providing school safety or security consulting services in this state) before the district is authorized to engage the person to provide school safety or security consulting services to the district.

SECTION 17. Amends Subchapter G, Chapter 37, Education Code, by adding Sections 37.221 and 37.222, as follows:

Sec. 37.221. FACILITIES STANDARDS REVIEW. (a) Requires the center, at least once every five years, to review the building standards for instructional facilities adopted under Section 7.061 and make recommendations to the commissioner regarding any changes necessary to ensure that the building standards reflect best practices for student safety.

(b) Requires the commissioner to coordinate with municipalities and counties as necessary to align building code requirements with building standards recommended under Subsection (a) for purposes of ensuring compliance with those standards.

Sec. 37.222. RESOURCES ON SAFE FIREARM STORAGE. (a) Requires the center, in collaboration with the Department of Public Safety of the State of Texas (DPS), to provide to each school district and open-enrollment charter school information and other resources regarding the safe storage of firearms for distribution by the district or school under Subsection (b), including information on:

(1) the offense under Section 46.13 (Making a Firearm Accessible to a Child), Penal Code; and

(2) ways in which parents and guardians can effectively prevent children from accessing firearms.

(b) Requires each school district and open-enrollment charter school to provide the information and other resources described under Subsection (a) to the parent or guardian of each student enrolled in the district or school.

SECTION 18. Amends Subchapter E, Chapter 45, Education Code, by adding Section 45.1011, as follows:

Sec. 45.1011. USE OF BOND PROCEEDS FOR SCHOOL SAFETY COMPLIANCE.

(a) Authorizes the proceeds of bonds issued by school districts for the construction and equipment of school buildings in the district and the purchase of the necessary sites for school buildings to be used to pay the costs associated with complying with school safety and security requirements for school facilities.

(b) Provides that this subsection applies to a school district that is determined by TEA, through TEA's monitoring of safety and security requirements under Section 37.1084, to not be in compliance with those requirements. Requires a school district to which this subsection applies, notwithstanding any other law, to use the proceeds of bonds described by Subsection (a) to achieve compliance with applicable safety and security requirements before the district is authorized to use those proceeds for any other authorized purpose.

SECTION 19. Amends Section 48.115, Education Code, by amending Subsections (a) and (b) and adding Subsections (a-1) and (e), as follows:

(a) Entitles a school district, subject to Subsection (a-1), to an annual allotment equal to the sum of the following amounts or a greater amount provided by appropriation:

(1) \$100 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 (Basic Allotment) exceeds \$6,160, prorated as necessary; and

(2) \$15,000 per campus.

Deletes existing text requiring the commissioner, from funds appropriated for that purpose, to provide to a school district an annual allotment in the amount provided by appropriation.

(a-1) Prohibits a school district from receiving an allotment under Subsection (a) unless the district enters into an agreement with DIR, TEA, and the center to participate in the statewide school safety cooperative contract program developed under Section 37.119 for the purchase of designated technologies.

(b) Requires that funds allocated under Section 48.115 (School Safety Allotment) be used to improve school safety and security, including costs associated with:

(1) makes no changes to this subdivision;

(2) providing security for the district, including employing certain persons, including persons authorized by the board of trustees of the district and permitted by law to carry a weapon on school campus grounds;

(3) certain school safety and security measures, rather than school safety and security training and planning;

(4) makes a nonsubstantive change to this subdivision; and

(5) employing a school safety director and other personnel to manage and monitor school safety initiatives and the implementation of school safety requirements for the district.

Makes nonsubstantive changes.

(e) Authorizes a school district, notwithstanding any other law, to use funds allocated under this section to provide training to an armed security officer employed by the district in accordance with Section 37.0814 to prepare the officer to provide instruction to students in the district on personal safety and related subjects.

SECTION 20. Amends Subchapter B, Chapter 85, Local Government Code, by adding Section 85.024, as follows:

Sec. 85.024. SCHOOL SAFETY MEETINGS. (a) Requires the sheriff of a county in which a public school is located to call and conduct semiannual meetings to discuss:

- (1) school safety;
- (2) coordinated law enforcement response to school violence incidents;
- (3) law enforcement agency capabilities;
- (4) available resources;
- (5) emergency radio interoperability;
- (6) chain of command planning; and
- (7) other related subjects proposed by a person in attendance at the meeting.

(b) Provides that the sheriff of a county in which more than one school district or open-enrollment charter school is located is only required to hold one semiannual meeting described by Subsection (a); however districts and schools located within the same county are authorized to adopt different school safety policies.

(c) Requires the following persons to attend a meeting called under Subsection (a):

- (1) the sheriff or the sheriff's designee;
- (2) the police chief of a municipal police department in the county or the police chief's designee;
- (3) each elected constable in the county or the constable's designees;
- (4) each police chief of a school district's police department or school district security coordinator from each school district located in the county;
- (5) a representative of DPS assigned to the county;
- (6) a representative of each other state agency with commissioned peace officers assigned to the county;
- (7) a person appointed to a command staff position at an emergency medical service in the county;
- (8) a person appointed to a command staff position at a municipal emergency medical service in the county;

(9) a person appointed to a command staff position at a fire department in the county;

(10) the superintendent or the superintendent's designee of each school district located in the county;

(11) the person who serves the function of superintendent, or that person's designee, in each open-enrollment charter school located in the county; and

(12) any other person the sheriff considers appropriate.

(d) Requires the sheriff to invite any federal law enforcement official serving in the county to attend the meeting.

(e) Requires the sheriff, as soon as practicable after a meeting under Subsection (a), to submit a report to the center identifying the attendees of the meeting and the subjects discussed. Requires the center to maintain the report and make it publicly available on the center's Internet website. Provides that the center is prohibited from making publicly available and is required to redact any parts of a report that the center determines may expose a safety vulnerability of a school district facility.

SECTION 21. Provides that this Act, to the extent of any conflict, prevails over another Act of the 88th Legislature, Regular Session, 2023, relating to nonsubstantive additions to and corrections in enacted codes.

SECTION 22. Provides that Sections 7.028 and 29.202, Education Code, as amended by this Act, and Chapter 37, Education Code, as amended by this Act, apply beginning with the 2023–2024 school year.

SECTION 23. Makes application of Section 37.081, Education Code, prospective to September 1, 2023.

SECTION 24. Makes application of Section 37.1085(c), Education Code, as added by this Act, prospective.

SECTION 25. Makes application of Section 45.1011, Education Code, as added by this Act, prospective.

SECTION 26. (a) Effective date, except as provided by Subsection (b) of this section: upon passage or September 1, 2023.

(b) Effective date, Section 48.115, Education Code, as amended by this Act: September 1, 2023.