

BILL ANALYSIS

Senate Research Center
88R21053 GCB-D

H.B. 3623
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Education
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Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Public schools districts, open-enrollment charter schools, and private schools are seeking opportunities to cooperate on school security during cross-district events, such as football games and UIL meets. While, under Texas law, school guardians are able to serve outside their home district with written permission from the district they are visiting, no such authorization exists for school marshals.

H.B. 3623 seeks to provide for the authority of a public school district, open-enrollment charter school, or private school to enter into a memorandum of understanding regarding a school marshal of one district or school acting as a school marshal at the other district or school during an applicable event.

H.B. 3623 amends current law relating to a memorandum of understanding between public or private primary or secondary schools authorizing a school marshal of one school to act as a school marshal at the other school during an event at which both schools participate.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Subchapter C, Chapter 37, Education Code, by adding Section 37.08131, as follows:

Sec. 37.08131. MEMORANDUM OF UNDERSTANDING BETWEEN PUBLIC AND PRIVATE SCHOOLS REGARDING SCHOOL MARSHALS. (a) Defines "public or private primary or secondary school."

(b) Authorizes a public or private primary or secondary school to enter into a memorandum of understanding with another public or private primary or secondary school under which a school marshal appointed to a campus of the school is authorized to temporarily act as a school marshal at a campus of the other school for the duration of an event occurring at the campus of the other school at which both schools are participating. Provides that the memorandum of understanding is required to comply with the requirements for written regulations under Section 37.0811 (School Marshal: Public Schools) or 37.0813 (School Marshalls: Private Schools), as applicable, and is authorized to be used to satisfy the requirement for written regulations or written authorization under Section 46.03(a)(1) (relating to the prohibition of the possession of certain weapons at a school or educational institution and the written regulations or authorization of the institution regarding exceptions to this prohibition), Penal Code, to allow that school marshal to carry a firearm on the premises of the public or private primary or secondary school at which the event occurs.

SECTION 2. Effective date: upon passage or September 1, 2023.