

BILL ANALYSIS

C.S.H.B. 4882
By: DeAyala
Youth Health & Safety, Select
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Currently, state law requires that the Texas School Safety Center establish a random or need-based cycle for the center's review, and verification of school district multihazard emergency operations plans. There are no requirements that responding law enforcement agencies and school districts have to communicate to establish a plan before an emergency occurs. There have been instances of responding agencies being paralyzed with inaction because there was confusion regarding chain of command and entry options, among other things. C.S.H.B. 4882 seeks to address this issue by requiring public school districts, in addition to requesting feedback from the center regarding a multihazard emergency operations plan, to submit the plan to a local law enforcement agency for review and suggestions on the plan.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

C.S.H.B. 4882 amends the Education Code to require a public school district, before submitting a multihazard emergency operations plan to the Texas School Safety Center as requested by the center, to request provisional feedback from the center regarding the plan. The bill requires the district to make adjustments to its plan as necessary and to submit its plan, after approval by the center, to an appropriate local law enforcement agency for review and to provide suggestions. The bill establishes that for such purposes, an appropriate local law enforcement agency includes the following:

- a school district police department, if the district employs and commissions at least 20 full-time peace officers;
- the police department of a municipality in which the district is located;
- the emergency management agency of a county in which the district is located, if applicable; and
- the sheriff of the county in which the district is located.

C.S.H.B. 4882 applies beginning with the 2023-2024 school year.

EFFECTIVE DATE

On passage, or, if the bill does not receive the necessary vote, September 1, 2023.

COMPARISON OF INTRODUCED AND SUBSTITUTE

While C.S.H.B. 4882 may differ from the introduced in minor or nonsubstantive ways, the following summarizes the substantial differences between the introduced and committee substitute versions of the bill.

Whereas the introduced established the individuals and entities to whom a district must submit its multihazard emergency operations plan for review and suggestions after approval from the Texas School Safety Center, the substitute makes the following changes:

- specifies that a school district police department is such an entity if the district employs and commissions at least 20 full-time peace officers; and
- includes among those individuals and entities the emergency management agency of a county in which the district is located, which did not appear in the introduced.