

BILL ANALYSIS

S.B. 838
By: Creighton
Youth Health & Safety, Select
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Children, teachers, and faculty should not fear for their lives in our primary and secondary public schools. Unfortunately, Texas has the second highest number of school shootings in the United States with more than 135 shooting events since 1970. Many of these attacks have been fatal. On May 24, 2022, 19 students and 2 teachers were fatally shot in a mass shooting at Robb Elementary School in Uvalde, Texas. The assailant began his violent shooting spree outside the school, and then locked himself inside two adjoining classrooms, attacking helpless victims whose only defense was to hide. It took law enforcement more than an hour to reach the shooter. Silent panic alert technology would allow for instant notification to law enforcement or medical personnel in the event of an active shooter event or other emergency situation requiring immediate response. Each additional minute waiting for first responders to be notified during a lockdown situation places children, teachers, and school personnel at increased risk of serious injury and death. When silent panic button technology is activated, first responders can react immediately which makes the difference between life or death. S.B. 838, Alyssa's Law, requires school districts and open-enrollment charter schools to provide silent panic alert technology in each classroom.

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

S.B. 838 amends the Education Code to require each public school district and open-enrollment charter school to provide each classroom with silent panic alert technology that allows for immediate contact with district or charter school emergency services and emergency services agencies, law enforcement agencies, health departments, and fire departments. The bill establishes that a district's or charter school's provision of such technology does not satisfy the requirement under statutory provisions relating to multihazard emergency operations plans for a district or charter school to ensure employees have classroom access to a telephone or another electronic communication device. The bill authorizes a district or charter school, in order to comply with the bill's requirement, to use funds provided through the school safety allotment used for the improvement of safety and security or other available funds and use the district's or charter school's customary procurement process.

S.B. 838 applies beginning with the 2025-2026 school year.

EFFECTIVE DATE

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