

BILL ANALYSIS

S.B. 999
By: West
Higher Education
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Under current law, the Texas Commission on Law Enforcement (TCOLE) is tasked with crafting and enforcing certification requirements for a variety of certifications and training courses, including the course *Active Shooter Response for School-Based Law Enforcement, Course No. 2195*. This course is among the primary vehicles in Texas for providing law enforcement and others active shooter training specific to school-based settings.

However, current law has a multi-faceted gap with regard to active shooter training courses. While TCOLE certifies the coursework and the course instructor providing active shooter training courses must be certified, the company through which this training is provided is not required to hold any TCOLE certification.

School district peace officers and school resource officers are required to complete an active shooter response training program approved by TCOLE. Under current law, TCOLE has the authority to refuse to contract for training with companies and organizations that do not meet TCOLE standards. However, TCOLE does not have the authority to prevent a company from providing active shooter training in Texas.

In order to ensure that any person who receives active shooter training in Texas is receiving a state-approved curriculum, S.B. 999 seeks to require all individuals and legal entities providing active shooter training to students or employees at a public school or public institution of higher education to possess a TCOLE certification.

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 rulemaking authority is expressly granted to the Texas Commission on Law Enforcement in SECTION 3 of this bill.

ANALYSIS

S.B. 999 amends the Occupations Code to prohibit an individual or legal entity from providing active shooter training to students or employees at a public primary or secondary school or a public institution of higher education on or after December 1, 2024, unless the individual providing the instruction is certified by the Texas Commission on Law Enforcement (TCOLE) to provide the training and, if the training is provided by a legal entity, both the legal entity and the individual providing the instruction on behalf of the legal entity are certified by TCOLE to provide the training. The bill requires TCOLE to establish not later than September 1, 2024, a

certification program for providers of active shooter training and issue a certificate to a provider who meets the qualifications of the program. The bill requires TCOLE to adopt rules for the renewal of a certificate and authorizes TCOLE to require continuing education for the renewal of the certificate.

S.B. 999 amends the Education Code to prohibit a public school district or public institution of higher education from contracting for the provision of active shooter training for the students or employees of the district or institution unless the training provider is certified by TCOLE to provide the training as provided by the bill. That prohibition applies only to active shooter training provided on or after December 1, 2024.

EFFECTIVE DATE

September 1, 2023.