

## **BILL ANALYSIS**

Senate Research Center  
88R6297 JTZ-D

S.B. 1475  
By: Creighton  
Education  
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As Filed

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

Under current law, a school district, charter school, private school, or public junior college employee's status as a school marshal becomes inactive if his or her license to carry a handgun is suspended or revoked. This provision makes no exception for a school marshal who does not carry a handgun, and would thus not need a valid gun license.

Especially following the tragic mass shooting at Robb Elementary School in Uvalde and the most recent shooting at the Covenant School in Nashville, we need to provide more comprehensive active shooter trainings for our school marshals. In particular, this bill would train marshals how to isolate, distract, and neutralize an active shooter. This bill also allows school marshals who do not need to carry a firearm to remain employed, if they do not have a license to carry a handgun.

As proposed, S.B. 1475 amends current law relating to licensure and training requirements for school marshals.

### **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 Section 37.0811(f), Education Code, to provide that a school district or charter school employee's status as a school marshal becomes inactive on suspension or revocation of the employee's license to carry a handgun issued under Subchapter H (License to Carry a Handgun), Chapter 411, Government Code, if the employee is required to hold that license as a condition of the employee's school marshal license under Section 1701.260 (Training for Holders of License to Carry a Handgun; Certification of Eligibility for Appointment as School Marshal), Occupations Code.

SECTION 2. Amends Section 37.0813(f), Education Code, to provide that a private school employee's status as a school marshal becomes inactive on suspension or revocation of the employee's license to carry a handgun issued under Subchapter H Chapter 411, Government Code, if the employee is required to hold that license as a condition of the employee's school marshal license under Section 1701.260, Occupations Code.

SECTION 3. Amends Section 51.220(g), Education Code, to provide that a junior college employee's status as a school marshal becomes inactive on suspension or revocation of the employee's license to carry a handgun issued under Subchapter H Chapter 411, Government Code, if the employee is required to hold that license as a condition of the employee's school marshal license under Section 1701.260, Occupations Code.

SECTION 4. Amends Subchapter C, Chapter 96, Education Code, by adding Section 96.42, as follows:

Sec. 96.42. CERTAIN REQUIRED TRAINING PROVIDED BY ADVANCED LAW ENFORCEMENT RAPID RESPONSE TRAINING CENTER. Requires the Advanced

Law Enforcement Rapid Response Training Center at Texas State University—San Marcos to offer to a person participating in a school marshal training program under Section 1701.260, Occupations Code, a course of instruction designed to prepare the person to isolate, distract, and neutralize an active shooter.

SECTION 5. Amends Section 1701.260, Occupations Code, by amending Subsections (a), (a-1), and (i) and adding Subsections (a-2) and (c-1), as follows:

(a) Requires the Texas Commission on Law Enforcement (TCOLE) to establish and maintain a training program open to any employee of a school district, open-enrollment charter school, private school, or public junior college who is a retired peace officer, as defined by Section 1701.3161 (Reactivation of Peace Officer License: Retired Peace Officers), or is an honorably discharged veteran of the armed forces of the United States.

(a-1) Authorizes the training under the training program to be conducted only by TCOLE staff or a provider approved by TCOLE.

(a-2) Redesignates existing Subsection (a-1) as Subsection (a-2) (relating to defining "private school").

(c-1) Requires TCOLE, for the instruction required under Subsection (c)(5), to require a trainee to complete a course of instruction offered by the Advanced Law Enforcement Rapid Response Training Center at Texas State University—San Marcos that is designed to prepare the trainee to isolate, distract, and neutralize an active shooter.

(i) Requires TCOLE to revoke the school marshal license of a person described by Subsection (a)(1) if TCOLE is notified by the Department of Public Safety of the State of Texas that the person's license to carry a handgun issued under Subchapter H, Chapter 411, Government Code, has been suspended or revoked. Makes a nonsubstantive change.

SECTION 6. Requires TCOLE, not later than April 1, 2024, to:

(1) develop a school marshal training program under Section 1701.260, Occupations Code, as amended by this Act, that is authorized to be offered over a number of consecutive Saturdays during a school year; and

(2) subject to the availability of funding, authorize two additional providers to offer school marshal training programs under Section 1701.260, Occupations Code, as amended by this Act, in areas of this state in which those programs are not offered on or before the effective date of this Act.

SECTION 7. Effective date: September 1, 2023.