

BILL ANALYSIS

Senate Research Center
88R8870 JTZ-D

S.B. 2407
By: Hancock
Education
4/3/2023
As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Since the passage of the original authorization in 2013, public school districts and charter schools have had the ability to appoint school marshals: employees of the school who are authorized and trained to carry a concealed handgun on the premises of a school. The Senate Special Committee to Protect All Texans made recommendations on how to improve access to the program as well as ensure high quality training to those participating. Those recommendations are reflected in S.B. 2407.

S.B. 2407 allows retired peace officers or honorably discharged veterans to become school marshals without requiring them to hold a license to carry a handgun. It directs the Texas Commission on Law Enforcement (TCOLE) to develop a school marshal training program that may be offered over a number of consecutive Saturdays during a school year and to require instruction from the Advanced Law Enforcement Rapid Response Training Center within existing instruction hours for a trainee.

As proposed, S.B. 2407 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, as follows:

(f) Provides that a school district or charter school employee's status as a school marshal becomes inactive on:

(1) makes no changes to this subdivision;

(2) 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; Certificate of Eligibility for Appointment As School Marshal), Occupations Code; or

(3)-(4) makes no changes to these subdivisions.

SECTION 2. Amends Section 37.0813(f), Education Code, as follows:

(f) Provides that a private school employee's status as a school marshal becomes inactive on:

(1) makes no changes to this subdivision;

(2) 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; or

(3)-(4) makes no changes to these subdivisions.

SECTION 3. Amends Section 51.220(g), Education Code, as follows:

(g) Provides that a public junior college employee's status as a school marshal becomes inactive on:

(1) makes no changes to this subdivision;

(2) 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; or

(3)-(4) makes no changes to these subdivisions.

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:

(1) creates this subdivision from existing text and makes a nonsubstantive change;

(2) is a retired peace officer, as defined by Section 1701.3161 (Reactivation of Peace Officer License: Retired Peace Officers); or

(3) 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 the TCOLE.

(a-2) Redesignates existing Subsection (a-1) as Subsection (a-2).

(c-1) Requires TCOLE, for the instruction required under Subsection (c)(5) (relating to requiring the training program to include 80 hours of instruction designed to enable the trainee to respond to an emergency situation requiring deadly force, such as a situation involving an active shooter), 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), rather than revoke a person's school marshal license, if TCOLE is

notified by the Department of Public Safety of the State of Texas that the person's license to carry a handgun under Subchapter H, Chapter 411, Government Code, has been suspended or revoked.

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

SECTION 7. Effective date: September 1, 2023.