88R8870 JTZ-D

By:  Burrows H.B. No. 5077

A BILL TO BE ENTITLED

AN ACT

relating to licensure and training requirements for school marshals.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1.  Section 37.0811(f), Education Code, is amended to read as follows:

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

(1)  expiration of the employee's school marshal license under Section 1701.260, Occupations Code;

(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;

(3)  termination of the employee's employment with the district or charter school; or

(4)  notice from the board of trustees of the district or the governing body of the charter school that the employee's services as school marshal are no longer required.

SECTION 2.  Section 37.0813(f), Education Code, is amended to read as follows:

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

(1)  expiration of the employee's school marshal license under Section 1701.260, Occupations Code;

(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;

(3)  termination of the employee's employment with the private school; or

(4)  notice from the governing body that the employee's services as school marshal are no longer required.

SECTION 3.  Section 51.220(g), Education Code, is amended to read as follows:

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

(1)  expiration of the employee's school marshal license under Section 1701.260, Occupations Code;

(2)  suspension or revocation of the employee's license to carry a concealed 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;

(3)  termination of the employee's employment with the public junior college; or

(4)  notice from the governing board of the public junior college that the employee's services as school marshal are no longer required.

SECTION 4.  Subchapter C, Chapter 96, Education Code, is amended by adding Section 96.42 to read as follows:

Sec. 96.42.  CERTAIN REQUIRED TRAINING PROVIDED BY ADVANCED LAW ENFORCEMENT RAPID RESPONSE TRAINING CENTER. The Advanced Law Enforcement Rapid Response Training Center at Texas State University--San Marcos shall 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.  Section 1701.260, Occupations Code, is amended by amending Subsections (a), (a-1), and (i) and adding Subsections (a-2) and (c-1) to read as follows:

(a)  The commission shall 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)  holds a license to carry a handgun issued under Subchapter H, Chapter 411, Government Code;

(2)  is a retired peace officer, as defined by Section 1701.3161; or

(3)  is an honorably discharged veteran of the armed forces of the United States.

(a-1)  The training under the training program may be conducted only by the commission staff or a provider approved by the commission.

(a-2) [~~(a-1)~~]  In this section, "private school" has the meaning assigned by Article 2.127, Code of Criminal Procedure.

(c-1)  For the instruction required under Subsection (c)(5), the commission shall 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)  The commission shall revoke the [~~a person's~~] school marshal license of a person described by Subsection (a)(1) if the commission is notified by the Department of Public Safety that the person's license to carry a handgun issued under Subchapter H, Chapter 411, Government Code, has been suspended or revoked. A person whose school marshal license is revoked may obtain recertification by:

(1)  furnishing proof to the commission that the person's handgun license has been reinstated; and

(2)  completing the initial training under Subsection (c) to the satisfaction of the commission staff, paying the fee for the training, and demonstrating psychological fitness on the psychological examination described in Subsection (d).

SECTION 6.  Not later than April 1, 2024, the Texas Commission on Law Enforcement shall develop a school marshal training program under Section 1701.260, Occupations Code, as amended by this Act, that may be offered over a number of consecutive Saturdays during a school year.

SECTION 7.  This Act takes effect September 1, 2023.