A BILL TO BE ENTITLED

AN ACT

relating to the submission by law enforcement agencies to certain
public school personnel of a handle with care notice concerning a
traumatic event experienced by a public school student and to
certain required training regarding those notices.

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

SECTION 1. Chapter 2, Code of Criminal Procedure, is
amended by adding Article 2.36 to read as follows:

Art. 2.36. HANDLE WITH CARE NOTICE REGARDING CERTAIN PUBLIC
SCHOOL STUDENTS. (a) This article applies in any situation in which
a law enforcement agency determines that a public school student
witnessed or otherwise experienced a traumatic event. For purposes
of this article, a "traumatic event" includes the following events:

(1) the arrest of an individual who resides with a
student;

(2) the execution of a search warrant at a student's
residence;

(3) an overdose of alcohol or of a controlled
substance by an individual who resides with a student;

(4) suicide or attempted suicide committed by an
individual who resides with a student;

(5) an incident involving family violence, as defined
by Section 71.004, Family Code;

(6) an incident of assault or sexual assault;
(7) a severe motor vehicle accident that causes bodily injury or death;

(8) a mass shooting;

(9) a student’s forced displacement from the student's residence;

(10) an incident involving the Department of Family and Protective Services;

(11) a fire that causes severe property damage or bodily injury or death; or

(12) any other event that may negatively impact the student's ability to succeed in school.

(b) A law enforcement agency that determines, in the course of providing law enforcement services, that an individual who is enrolled as a student in a public primary or secondary school has experienced a traumatic event may submit a handle with care notice to the superintendent or other designated school employee at the school at which the student is enrolled.

(c) A handle with care notice must include, if known:

(1) the student's name, age, and grade level;

(2) the school at which the student is enrolled; and

(3) a brief description of the traumatic event experienced by the student.

(d) A law enforcement agency shall submit handle with care notices using an electronic system that:

(1) stores the number of notices sent and the zip code from which each notice was sent; and

(2) automatically sends a copy of the notice to the
regional education service center serving the school at which the
student who is the subject of the notice is enrolled.

(e) A superintendent or other designated school employee
who receives a handle with care notice shall immediately provide a
copy of the handle with care notice to all instructional and support
personnel who have responsibility for supervision of the student
who is the subject of the notice.

(f) Information contained in a handle with care notice
authorized under this article is confidential and exempt from
disclosure except as provided by this article or other applicable
state and federal law. Except as provided by Subsection (e), all
school personnel who receive a copy of the handle with care notice
shall keep that information confidential.

(g) A law enforcement agency must ensure that law
enforcement officers and other agency employees receive
appropriate training regarding a handle with care notice, including
by requiring appropriate agency personnel to attend the training
established and maintained under Section 1701.2635, Occupations
Code.

SECTION 2. Subchapter A, Chapter 38, Education Code, is
amended by adding Section 38.035 to read as follows:

Sec. 38.035. HANDLE WITH CARE NOTICE TRAINING COURSE. (a)
The agency shall establish and maintain a one-hour training course
regarding handle with care notices for school district or
open-enrollment charter school employees who have responsibility
for the supervision of students.

(b) The training course must provide information on the
implementation of procedures relating to handle with care notices authorized under Article 2.36, Code of Criminal Procedure, including appropriate methods of monitoring and responding to a student who is the subject of a handle with care notice.

(c) Each school district and open-enrollment charter school shall ensure that appropriate personnel complete the training course established under this section.

SECTION 3. Subchapter F, Chapter 1701, Occupations Code, is amended by adding Section 1701.2635 to read as follows:

Sec. 1701.2635. HANDLE WITH CARE NOTICE TRAINING PROGRAM. The commission shall establish and maintain a one-hour training program for peace officers and other employees of law enforcement agencies that provides information on the implementation of procedures relating to handle with care notices authorized under Article 2.36, Code of Criminal Procedure.

SECTION 4. As soon as practicable after the effective date of this Act:

(1) the Texas Education Agency shall develop the handle with care notice training course as required by Section 38.035, Education Code, as added by this Act; and

(2) the Texas Commission on Law Enforcement shall establish the handle with care notice training program as required by Section 1701.2635, Occupations Code, as added by this Act.

SECTION 5. This Act takes effect September 1, 2023.