

By: Kitzman

H.B. No. 5284

A BILL TO BE ENTITLED

AN ACT

relating to emergency response protocols and safety and security audits developed by the Texas School Safety Center and Health and Human Services Commission for day-care centers.

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

SECTION 1. Subchapter G, Chapter 37, Education Code, is amended by adding Section 37.2135 to read as follows:

Sec. 37.2135. DAY-CARE CENTERS. (a) In this section, "day-care center" has the meaning assigned by Section 42.002, Human Resources Code.

(b) The center, in collaboration with the Health and Human Services Commission, shall:

(1) research best practices regarding emergency preparedness of day-care centers and serve as a clearinghouse for that information;

(2) develop safety and security audit procedures for day-care centers that include:

(A) the frequency of the safety and security audit to be conducted by a day-care center under Section 42.04432, Human Resources Code; and

(B) the manner in which a day-care center must report the results of the safety and security audit conducted under Section 42.04432, Human Resources Code, to the center;

(3) develop and publish guidelines for standard

1 emergency response protocol requirements; and

2 (4) provide day-care centers with safety and standard  
3 emergency response protocol training and technical assistance.

4 SECTION 2. Subchapter C, Chapter 42, Human Resources Code,  
5 is amended by adding Section 42.04432 to read as follows:

6 Sec. 42.04432. EMERGENCY RESPONSE PROTOCOL FOR AND SAFETY  
7 AND SECURITY AUDIT OF CERTAIN FACILITIES. (a) In this section,  
8 "center" means the Texas School Safety Center.

9 (b) Each day-care center shall:

10 (1) follow the standard emergency response protocol  
11 guidelines developed by the center, in collaboration with the  
12 commission as required by Section 37.2135, Education Code;

13 (2) conduct safety and security audits following the  
14 safety and security audit procedures developed by the center, in  
15 collaboration with the commission under Section 37.2135, Education  
16 Code; and

17 (3) report the results of the safety and security  
18 audit conducted under Subdivision (2) to the center in the manner  
19 required by Section 37.2135, Education Code.

20 SECTION 3. As soon as practicable after the effective date  
21 of this Act, the Texas School Safety Center and the Health and Human  
22 Services Commission shall develop the procedures and guidelines  
23 required by Section 37.2135, Education Code, and Section 42.04432,  
24 Human Resources Code, as added by this Act.

25 SECTION 4. This Act takes effect September 1, 2023.