

AN ACT

relating to allowing public schools to employ or accept as volunteers chaplains.

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

SECTION 1. Subtitle D, Title 2, Education Code, is amended by adding Chapter 23 to read as follows:

CHAPTER 23. SCHOOL CHAPLAINS

Sec. 23.001. SCHOOL CHAPLAINS. (a) A school district or open-enrollment charter school may employ or accept as a volunteer a chaplain to provide support, services, and programs for students as assigned by the board of trustees of the district or the governing body of the school. A chaplain employed or volunteering under this chapter is not required to be certified by the State Board for Educator Certification.

(b) A school district or open-enrollment charter school that employs or accepts as a volunteer a chaplain under this chapter shall ensure that the chaplain complies with the applicable requirements under Subchapter C, Chapter 22, before the chaplain begins employment or volunteering at the district or school.

(c) A school district or open-enrollment charter school may not employ or accept as a volunteer a chaplain who has been convicted of or placed on deferred adjudication community supervision for an offense for which a defendant is required to register as a sex offender under Chapter 62, Code of Criminal

1 Procedure.

2 SECTION 2. Section 48.115(b), Education Code, is amended to  
3 read as follows:

4 (b) Funds allocated under this section must be used to  
5 improve school safety and security, including costs associated  
6 with:

7 (1) securing school facilities, including:

8 (A) improvements to school infrastructure;

9 (B) the use or installation of physical barriers;

10 and

11 (C) the purchase and maintenance of:

12 (i) security cameras or other security  
13 equipment; and

14 (ii) technology, including communications  
15 systems or devices, that facilitates communication and information  
16 sharing between students, school personnel, and first responders in  
17 an emergency;

18 (2) providing security for the district, including:

19 (A) employing school district peace officers,  
20 private security officers, and school marshals; and

21 (B) collaborating with local law enforcement  
22 agencies, such as entering into a memorandum of understanding for  
23 the assignment of school resource officers to schools in the  
24 district;

25 (3) school safety and security training and planning,  
26 including:

27 (A) active shooter and emergency response

1 training;

2 (B) prevention and treatment programs relating  
3 to addressing adverse childhood experiences; and

4 (C) the prevention, identification, and  
5 management of emergencies and threats, using evidence-based,  
6 effective prevention practices and including:

7 (i) providing licensed counselors, social  
8 workers, chaplains, and individuals trained in restorative  
9 discipline and restorative justice practices;

10 (ii) providing mental health personnel and  
11 support, including chaplains;

12 (iii) providing behavioral health  
13 services, including services provided by chaplains;

14 (iv) establishing threat reporting  
15 systems; and

16 (v) developing and implementing programs  
17 focused on restorative justice practices, culturally relevant  
18 instruction, and providing mental health support, including  
19 support provided by chaplains; and

20 (4) providing programs related to suicide prevention,  
21 intervention, and postvention, including programs provided by  
22 chaplains.

23 SECTION 3. Each board of trustees of a school district and  
24 each governing body of an open-enrollment charter school shall take  
25 a record vote not later than six months after the effective date of  
26 this Act on whether to adopt a policy authorizing a campus of the  
27 district or school to employ or accept as a volunteer a chaplain

1 under Chapter 23, Education Code, as added by this Act.

2 SECTION 4. This Act applies beginning with the 2023-2024  
3 school year.

4 SECTION 5. This Act takes effect immediately if it receives  
5 a vote of two-thirds of all the members elected to each house, as  
6 provided by Section 39, Article III, Texas Constitution. If this  
7 Act does not receive the vote necessary for immediate effect, this  
8 Act takes effect September 1, 2023.

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President of the Senate

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Speaker of the House

I hereby certify that S.B. No. 763 passed the Senate on April 25, 2023, by the following vote: Yeas 18, Nays 12; May 11, 2023, Senate refused to concur in House amendments and requested appointment of Conference Committee; May 15, 2023, House granted request of the Senate; May 23, 2023, Senate adopted Conference Committee Report by the following vote: Yeas 19, Nays 12.

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Secretary of the Senate

I hereby certify that S.B. No. 763 passed the House, with amendments, on May 9, 2023, by the following vote: Yeas 89, Nays 58, one present not voting; May 15, 2023, House granted request of the Senate for appointment of Conference Committee; May 24, 2023, House adopted Conference Committee Report by the following vote: Yeas 84, Nays 60, one present not voting.

\_\_\_\_\_  
Chief Clerk of the House

Approved:

\_\_\_\_\_  
Date

\_\_\_\_\_  
Governor