

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 88TH LEGISLATIVE REGULAR SESSION**

**April 16, 2023**

**TO:** Honorable Senfronia Thompson, Chair, House Committee on Youth Health & Safety, Select

**FROM:** Jerry McGinty, Director, Legislative Budget Board

**IN RE: HB13** by King, Ken (relating to training, preparedness, and funding for school safety and emergencies in public schools.), **Committee Report 1st House, Substituted**

**Estimated Two-year Net Impact to General Revenue Related Funds** for HB13, Committee Report 1st House, Substituted : a negative impact of (\$1,665,008,000) through the biennium ending August 31, 2025.

The bill would make no appropriation but could provide the legal basis for an appropriation of funds to implement the provisions of the bill. Cost estimates below do not include the cost of Mental Health First Aid grants and State School Safety grants under the bill, which cannot be determined at this time.

**General Revenue-Related Funds, Five- Year Impact:**

<i>Fiscal Year</i>	<i>Probable Net Positive/(Negative) Impact to General Revenue Related Funds</i>
2024	(\$1,111,096,000)
2025	(\$553,912,000)
2026	(\$565,519,000)
2027	(\$568,874,000)
2028	(\$574,766,000)

**All Funds, Five-Year Impact:**

<i>Fiscal Year</i>	<i>Probable (Cost) from General Revenue Fund 1</i>	<i>Probable (Cost) from Foundation School Fund 193</i>	<i>Probable Savings from Recapture Payments Atten Crdts 8905</i>	<i>Change in Number of State Employees from FY 2023</i>
2024	(\$607,343,000)	(\$503,753,000)	\$99,657,000	4.0
2025	(\$14,261,000)	(\$539,651,000)	\$100,088,000	4.0
2026	(\$20,841,000)	(\$544,678,000)	\$103,609,000	4.0
2027	(\$27,624,000)	(\$541,250,000)	\$106,699,000	4.0
2028	(\$27,624,000)	(\$547,142,000)	\$107,737,000	4.0

**Fiscal Analysis**

The bill would require the Texas Education Agency (TEA) to provide an allotment to each school that equals the amount spent by employees on travel and training for the Mental Health First Aid (MHFA) training. The bill allows for a phase in of this requirement.

The bill would create the School Guardian Training Stipend in an amount established by the commissioner, not to exceed \$25,000 per school guardian, using funds available for the purpose. Employees designated as school

guardians would be authorized to carry or possess a weapon on the physical premises of a school.

The bill would require TEA to establish minimum requirements for active shooter preparedness appendix as part of a districts multihazard emergency operations plan and establish a grant program to address facility safety infrastructure needs.

The bill would establish a grant program to enhance the infrastructure on each campus to meet safety standards established by TEA using funds appropriated for that purpose. If the Commissioner determines that the amount appropriated for the Foundation School Program (FSP) exceeds the amount to which school districts are entitled, the commissioner would designate a portion of the excess funds to be transferred to the state school safety fund. The fund would be administered by the Permanent School Fund Corporation (PSFC) and the grants would be awarded to school districts and charter schools by TEA.

The bill would increase the school safety allotment from \$9.72 per ADA to \$100 per ADA.

## **Methodology**

TEA assumes the cost of the MHFA allotment cannot be determined at this time but could be significant. TEA estimates the staff resources needed to implement the MHFA program to be 1 FTE to manage the allotment program and 1 FTE to support rule making across the bill's requirements and to work with the allotment program. This analysis assumes the total fiscal impact across these two positions is estimated to be \$243,500 in fiscal year 2024 and \$238,300 in each year thereafter, including salaries, operating cost, and benefits.

The bill allows up to a \$25,000 training stipend to a School Guardian. TEA assumes 5% of the 9,044 campuses would have a guardian in year one, growing to 20% by year four and forward and the stipend would be set at \$15,000. Under these assumptions the cost to the state of the stipend would be \$6,783,000 in fiscal year 2024, growing to \$27,132,000 in fiscal year 2027 and beyond. If the participation rate and/or stipend were higher, costs could increase significantly. TEA estimates the need for 1 additional FTE to manage the stipend program. This analysis assumes the total financial impact of this position is estimated to be \$125,200 in fiscal year 2024 and \$122,700 in each year thereafter, including salaries, operating costs and benefits.

TEA assumes grants established to enhance district infrastructure would total \$600.0 million for the 2024-25 biennium. To administer the Preparedness Grant Program, TEA estimates the need for 1 additional FTE. This analysis assumes the total fiscal impact of this position is estimated to be \$132,700 in fiscal year 2024 and \$130,600 each year thereafter, including salaries, operating costs and benefits.

TEA estimates the increase to the school safety allotment to be \$495 million in fiscal year 2024, increasing to \$538 million in fiscal year 2028.

This analysis assumes that initial grants to districts would be limited based on the availability of a surplus in the FSP for the prior biennium. Such a surplus is not anticipated and cannot be determined at this time; therefore, no significant fiscal implication to the State is anticipated for the State School Safety Fund and Grant program. To the extent that a surplus would be available for investment by the PSFC in fiscal year 2025, the program could initiate grant funding to districts starting in fiscal year 2027. The cost to the state for district grants would be limited by an annual \$250.0 million cap. This analysis assumes TEA could incur costs related to hiring 1.0 additional FTE to support the program in the fiscal year that grants are made. However, as it is unknown when the first grant funding would be available, costs cannot be determined at this time.

The fiscal impact to PSFC associated with managing the state school safety fund is shown in the fiscal note for HJR 170.

In addition, the bill would provide a credit against recapture by the amount necessary to employ an off-duty peace officer as school security personnel. The Agency assumed a total cost of \$60,000 for each school district subject to recapture for an estimated statewide cost of \$8.7 million in fiscal year 2024.

## **Technology**

The cost estimate to develop and implement the requirements in the FSP application is \$67,932 fiscal year

2024 and \$203,797 in fiscal year 2025.

### **Local Government Impact**

The bill would require district employees that interact with children to complete a mental health first aid training and establish a school guardian designation, training and stipend for eligible employees, as well as a requirement for an active shooter preparedness plan for each school.

The bill would require each school district to annually adopt and implement an active shooter preparedness plan for use in the district's facilities and submit the plan to TEA.

The bill would provide increased funding through the School Safety Allotment. Additionally, to the extent that funds were available for the state school safety fund and could be used to reimburse districts for qualifying expenses, Local Education Agencies (LEAs) could see an increase in funding.

**Source Agencies:** 304 Comptroller of Public Accounts, 529 Health and Human Services Commission, 701 Texas Education Agency, 706 Texas Permanent School Fund Corporation, 758 Texas State University System

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