**BILL ANALYSIS**

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| Senate Research Center | H.B. 33 |
| 89R22582 JBD/ANG-D | By: McLaughlin et al. (Flores) |
|  | Criminal Justice |
|  | 5/9/2025 |
|  | Engrossed |

**AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

On May 24, 2022, the Uvalde Community tragically lost 19 students and two teachers during a school shooting at Robb Elementary. This tragedy has exposed critical failures in law enforcement preparedness, response coordination, and school safety protocols, making it clear that Texas must take action to address current shortcomings and future readiness for active shooter situations. Though enacted legislation from previous legislative sessions has aimed to improve our responses to mass shootings, there is a need to strengthen our efforts and close gaps in critical preventative and response measures.

H.B. 33, named the "Uvalde Strong Act," implements new safety and security requirements relating to active shooter incidents at primary or secondary school facilities and other emergencies for certain law enforcement agencies, educational institutions, governmental entities, emergency medical services providers, and political subdivisions. H.B. 33 includes the following notable provisions:

Requires a public school district that constructs, acquires, or renovates, a district facility, to conduct a security review of the facility to determine compliance with school safety and security requirements and identify potential security vulnerabilities. Additionally requires annual meetings between schools, law enforcement, and first responders for developing multi-hazard emergency response operation plans.

Requires the Advanced Law Enforcement Rapid Response Training Center at Texas State University-San Marcos to develop an active shooter response training program and create a template for use by local law enforcement or emergency medical services providers in evaluating and reporting the response to an active shooter incident at a school facility.

Requires each law enforcement agency and emergency medical services provider that responds to an active shooting at a school facility to evaluate and report their response to the incident.

Requires each law enforcement agency, public and charter school, and municipality to employ a public information officer who must complete continuing education and obtain certification on emergency communications.

Requires the Governor's Criminal Justice Division to establish a grant program to provide financial assistance to law enforcement agencies that become accredited by the standards set forth by this legislation.

Requires the Department of Public Safety to consult with the sheriff of each county that houses a primary or secondary school facility to determine which entities employing first responders are likely to respond to active shootings and enter into a mutual aid agreement for the purpose of preparing for these emergencies.

Requires all municipal, county, school, and campus police to adopt standardized active shooter response policies. Additionally requires the Texas Division of Emergency Management to develop a guide on preparedness for an active shooter event in collaboration with local governments, community leaders, and civic organizations.

H.B. 33 amends current law relating to active shooter incidents at primary and secondary school facilities and other emergencies, including certain accreditations of law enforcement agencies that respond to such emergencies.

**RULEMAKING AUTHORITY**

Rulemaking authority is expressly granted to the Texas Commission on Law Enforcement in SECTION 11 (Sections 418.1873 and 418.1877, Government Code) of this bill.

Rulemaking authority is expressly granted to the Texas Division of Emergency Management in SECTION 11 (Sections 418.1873 and 418.1877, Government Code) and SECTION 12 (Section 418.335, Government Code) of this bill.

Rulemaking authority is expressly granted to the Department of State Health Services in SECTION 11 (Section 418.1877, Government Code) of this bill.

Rulemaking authority previously granted to the Texas Commission on Law Enforcement is modified in SECTION 16 (Section 1701.3526, Occupations Code) of this bill.

**SECTION BY SECTION ANALYSIS**

SECTION 1. Authorizes this Act to be cited as the Uvalde Strong Act.

SECTION 2. Amends Section 12.104(b), Education Code, to provide that an open-enrollment charter school is subject to certain requirements, including school safety requirements under certain sections of the Education Code, including Section 37.1087.

SECTION 3. Amends Sections 37.108(a) and (b), Education Code, as follows:

(a) Requires that a multihazard emergency operations plan address prevention, mitigation, preparedness, response, and recovery, including the prompt recovery of services provided by the school district or public junior college district, as defined by the Texas School Safety Center in conjunction with the governor's office of homeland security, the commissioner of education (commissioner), and the commissioner of higher education. Requires that the plan provide for certain measures, including measures to ensure district communications technology and infrastructure are adequate to allow for communication during an emergency, including measures to ensure the use of standardized response protocol terminology, developed in coordination with the Texas School Safety Center, to facilitate communication between law enforcement, emergency services, district employees, and the public.

(b) Requires each school district or public junior college district, at least once every three years, to conduct a safety and security audit of the district's facilities that includes a security review as described by Section 37.1087 for each district facility.

SECTION 4. Amends Section 37.1083(a), Education Code, to require the Texas Education Agency (TEA) to monitor the implementation and operation of requirements related to school district safety and security, including certain school district security reviews, and to make nonsubstantive changes.

SECTION 5. Amends Subchapter D, Chapter 37, Education Code, by adding Section 37.1087, as follows:

Sec. 37.1087. SECURITY REVIEW. (a) Requires a school district, if the district constructs, acquires, renovates, or improves a district facility, as soon as practicable, to conduct a security review of the facility to determine whether the facility meets school safety and security requirements as described by commissioner rule and identify security vulnerabilities at the facility in the event of an active shooter incident and describe strategies to mitigate each vulnerability identified.

(b) Requires the commissioner, in consultation with the Department of Public Safety (DPS), the Texas Division of Emergency Management (TDEM), and the Texas School Safety Center, to ensure that the rules adopted or amended under Section 7.061 (Facilities Standards) include rules for the review required by this section.

SECTION 6. Amends Subchapter D, Chapter 37, Education Code, by adding Section 37.1171, as follows:

Sec. 37.1171. AVAILABILITY OF BREACHING TOOL AND BALLISTIC SHIELD. Requires that each school district and open-enrollment charter school have at least one breaching tool and one ballistic shield available for use at each campus in the event of an active shooter incident.

SECTION 7. Amends Section 51.217(b), Education Code, to require that a multihazard emergency operation plan used by an institution address mitigation, preparedness, response, and recovery, including the prompt recovery of services provided by the institution.

SECTION 8. Amends Subchapter C, Chapter 96, Education Code, by adding Section 96.42, as follows:

Sec. 96.42. ADVANCED LAW ENFORCEMENT RAPID RESPONSE TRAINING CENTER; CERTAIN DUTIES. (a) Defines "center," "emergency medical services personnel," "emergency medical services provider," and "local law enforcement agency."

(b) Requires the Advanced Law Enforcement Rapid Response Training Center at Texas State University–San Marcos (center) to create a template for use by a local law enforcement agency or emergency medical services provider in evaluating and reporting on the agency's or provider's response to an active shooter incident at a primary or secondary school facility under Section 418.1873, Government Code. Authorizes the center to collaborate with TDEM, DPS, the Sheriffs' Association of Texas, or the Texas Police Chiefs Association to develop the template. Requires that the template include prompts for reporting on certain items and any other content the center considers appropriate.

(c) Requires the center to develop a training program for peace officers and emergency medical services personnel for responding to active shooter incidents at primary and secondary school facilities as required by Section 418.1877(b), Government Code. Provides that, in developing the training program, the center is:

(1) required to incorporate, if available, the findings of at least one final report submitted under Section 418.1873, Government Code, regarding a local law enforcement agency's or emergency medical services provider's response to an active shooter incident at a primary or secondary school facility; and

(2) authorized to collaborate with TDEM, the Texas Commission on Law Enforcement (TCOLE), DPS, or the Department of State Health Services (DSHS).

(d) Requires the center, in developing the training program under Subsection (c), if a report described by Subsection (c)(1) is not immediately available, to update the training program as soon as a report described by that subdivision becomes available to incorporate the report's findings.

SECTION 9. Amends Subchapter L-1, Chapter 411, Government Code, by adding Section 411.3735, as follows:

Sec. 411.3735. CERTIFICATION AND CONTINUING EDUCATION REQUIRED FOR CERTAIN PUBLIC INFORMATION OFFICERS. (a) Defines "division" and "public information officer."

(b) Requires certain entities to employ or appoint a public information officer who is required to obtain certification in emergency communications from TDEM and complete continuing education on emergency communications as provided by Subchapter K, Chapter 418 (Emergency Management):

(c) Authorizes the chief administrative officer of an agency to be appointed or employed as a public information officer.

SECTION 10. Amends Subchapter C, Chapter 418, Government Code, by adding Section 418.059, as follows:

Sec. 418.059. GUIDE ON PREPARING FOR AND RESPONDING TO ACTIVE SHOOTER INCIDENT AT SCHOOL FACILITY. (a) Requires TDEM, in coordination with the Emergency Management Council, to develop a guide on preparing for and responding to an active shooter incident at a primary or secondary school facility for civic, volunteer, and community organizations.

(b) Requires TDEM to post the guide on TDEM's Internet website for public use. Requires that the guide provide a comprehensive approach to preparing for and responding to active shooter incidents at primary and secondary school facilities and include information on certain subjects.

(c) Authorizes TDEM, in developing and revising the guide, in collaboration with DPS, to seek the advice and assistance of local governments, civic organizations, volunteer organizations, and community leaders.

SECTION 11. Amends Subchapter H, Chapter 418, Government Code, by adding Sections 418.1873 and 418.1877, as follows:

Sec. 418.1873. EVALUATION AND REPORT ON RESPONSE TO ACTIVE SHOOTER EVENT REQUIRED FOR CERTAIN ENTITIES. (a) Defines "emergency medical services," "emergency medical services provider," and "local law enforcement agency."

(b) Requires each local law enforcement agency and emergency medical services provider that responds to an active shooter incident at a primary or secondary school facility by providing law enforcement services or emergency medical services, or both, to:

(1) not later than the 45th day after the date of the incident, or as soon as practicable thereafter, initiate an evaluation of the agency's or provider's response to the incident and submit a preliminary report to TDEM, DPS, and the center regarding, at minimum, the items required in the template created under Section 96.42, Education Code; and

(2) not later than the 90th day after the date of the incident, or as soon as practicable thereafter, finalize the report described by Subdivision (1) and submit the report to TDEM, DPS, and the center.

(c) Provides that, for purposes of implementing this section, TCOLE is required to adopt rules with respect to local law enforcement agencies and TDEM is required to adopt rules with respect to emergency medical services and emergency medical services providers.

(d) Requires TDEM, in coordination with the Texas School Safety Center, to by rule define "active shooter incident" as an incident involving an active shooter, as that term is defined by the Federal Bureau of Investigation.

(e) Provides that a local law enforcement agency or emergency medical services provider that complies with this section regarding an active shooter incident at a primary or secondary school facility is not required to conduct any evaluation or issue any report that may be required under Section 418.188 (Postdisaster Evaluation) regarding that incident.

(f) Provides that information obtained or created by TDEM or DPS in carrying out their obligations under this section are confidential and are not subject to disclosure under Chapter 552 (Public Information).

(g) Provides that any meetings between a law enforcement agency or emergency medical services provider and TDEM or DPS are not subject to the open meeting requirements of Chapter 551 (Open Meetings).

Sec. 418.1877. TRAINING ON RESPONSES TO ACTIVE SHOOTER INCIDENTS AT SCHOOL FACILITIES REQUIRED. (a) Defines "emergency medical services personnel," "emergency medical services provider," and "local law enforcement agency."

(b) Requires TCOLE by rule to require the peace officers of each local law enforcement agency to complete a training program for responding to active shooter incidents at primary and secondary school facilities developed by the center as required by Section 96.42, Education Code.

(c) Requires TDEM by rule to require the emergency medical services personnel of each emergency medical services provider to complete a training program for responding to active shooter incidents at primary and secondary school facilities developed by the TDEM. Requires that the training program involve reviewing at least one final evaluation and report required by Section 418.1873.

(d) Authorizes TDEM, TCOLE, and DSHS to adopt rules to enforce this section.

SECTION 12. Amends Chapter 418, Government Code, by adding Subchapter K, as follows:

SUBCHAPTER K. CERTIFICATION AND CONTINUING EDUCATION REQUIRED FOR CERTAIN PUBLIC INFORMATION OFFICERS

Sec. 418.331. DEFINITION. Defines "public information officer."

Sec. 418.332. CERTIFICATION AND CONTINUING EDUCATION REQUIRED FOR CERTAIN PUBLIC INFORMATION OFFICERS. (a) Requires certain entities to employ or appoint a public information officer who is required to obtain certification in emergency communications from TDEM and complete continuing education on emergency communications as provided by this subchapter.

(b) Authorizes the chief administrator of an agency to be appointed or employed as a public information officer.

Sec. 418.333. CERTIFICATION AND CONTINUING EDUCATION. (a) Requires a public information officer described by Sections 411.3735 and 418.332 to obtain certification from TDEM in emergency communications not later than the first anniversary of the date the public information officer was hired or appointed and complete a continuing education program on emergency communications approved by TDEM once during each 12-month period beginning on the date the public information officer obtained certification.

(b) Requires TDEM to establish minimum education and training requirements for initial certification and continuing education under this subchapter. Requires that the minimum requirements comply with the policies and standards developed by TCOLE under Section 1701.163, Occupations Code. Requires that these minimum requirements include courses on the National Incident Management System, the Incident Command System, and the basic skills and principles necessary to fulfill the role of a public information officer with respect to emergency communications.

(c) Requires TDEM to assist the entities subject to Sections 411.3735 and 418.332 in identifying approved training programs.

(d) Authorizes the following courses to be taken to satisfy minimum education and training requirements under this subchapter: a course provided by the Bill Blackwood Law Enforcement Management Institute of Texas or a course approved by TCOLE.

Sec. 418.334. COMPLIANCE RECORDS; INSPECTION. (a) Requires each entity subject to Section 418.332 to:

(1) maintain records that demonstrate the compliance of each public information officer employed or appointed by that entity with the certification and continuing education requirements of this subchapter; and

(2) submit to TDEM the compliance records required to be maintained under Subdivision (1).

(b) Requires TDEM to permit inspection and copying by DPS of the compliance records TDEM maintains under Subsection (a)(1) during reasonable hours and in a reasonable manner.

Sec. 418.335. RULES. Authorizes TDEM to adopt rules to administer this subchapter.

SECTION 13. Amends Subchapter A, Chapter 772, Government Code, by adding Sections 772.00791, 772.013, and 772.014, as follows:

Sec. 772.00791. LAW ENFORCEMENT AGENCY ACCREDITATION GRANT PROGRAM. (a) Defines "criminal justice division."

(b) Requires the criminal justice division to establish and administer a grant program to provide financial assistance to a law enforcement agency in this state for purposes of becoming accredited or maintaining accreditation through and by certain programs and entities.

(c) Provides that, except as provided by Subsection (e), the amount of a grant awarded to a law enforcement agency under this section is a certain amount dependent on qualifying accreditations.

(d) Prohibits a law enforcement agency from being awarded a grant described by Subsection (c)(1) (relating to a grant of $25,000 for each qualifying accreditation) with respect to an accreditation for which the agency has previously been awarded a grant under that subdivision.

(e) Authorizes a law enforcement agency, if the law enforcement agency was awarded a grant described by Subsection (c)(1) and the accreditation expires without the agency receiving reaccreditation, to be awarded a grant under this section in the amount provided by Subsection (c)(2) (relating to a grant of $12,500 for each qualifying reaccreditation) for becoming accredited by the accrediting entity for which the grant under Subsection (c)(1) was awarded.

(f) Requires the criminal justice division to establish certain procedures, criteria, and guidelines.

(g) Requires the criminal justice division, not later than December 1 of each year, to submit to the Legislative Budget Board a report that provides the following information for the preceding state fiscal year: the name of each law enforcement agency that applied for a grant under this section and the amount of money distributed to each law enforcement agency awarded a grant under this section.

(h) Authorizes the criminal justice division to use any revenue available for purposes of this section.

(i) Requires the criminal justice division, with the assistance of TCOLE, to periodically review associations and organizations that establish standards of practice for law enforcement agencies and that offer accreditation to agencies that meet those standards. Authorizes TCOLE, on a determination by the criminal justice division that accreditation of law enforcement agencies in this state by an association or organization would benefit public safety, to designate the association or organization as an accrediting entity for purposes of Subsection (b)(5) (relating to an association or organization designated by TCOLE).

Sec. 772.013. COMPLEX EMERGENCY RESPONSE AND INVESTIGATION PLANNING FOR DEPARTMENT OF PUBLIC SAFETY AND CERTAIN POLITICAL SUBDIVISIONS. (a) Defines "department" and "first responder."

(b) Requires DPS, to prepare for complex responses to and investigations of emergencies that require mutual aid and support from more than one governmental entity, to consult with the sheriff of each county in which a primary or secondary school facility is located to determine which governmental entities that employ a first responder are reasonably likely, in the sheriff's opinion, to respond to an active shooter incident at one of those facilities.

(c) Requires DPS, each sheriff described by Subsection (b), and each governmental entity identified by the sheriff under that subsection to collectively participate in a multiagency tabletop exercise at least once each odd-numbered year and an in-person drill at least once each even-numbered year.

(d) Requires DPS to invite any appropriate federal agency to participate in an exercise described by Subsection (c).

Sec. 772.014. MUTUAL AID AGREEMENTS BETWEEN DEPARTMENT OF PUBLIC SAFETY AND LOCAL LAW ENFORCEMENT AGENCIES. (a) Defines "department."

(b) Requires DPS and each governmental entity identified by a sheriff under Section 772.013(b) to collectively enter into a mutual aid agreement that establishes the procedures for the provision of resources, personnel, facilities, equipment, and supplies in responses to critical incidents in a vertically integrated fashion.

(c) Requires DPS and local law enforcement agencies, in establishing the procedures, to give priority to establishing the interoperability of communications equipment among the parties to the agreement, establish procedures for interagency coordination in activities arising from critical incidents, including evidence collection, set jurisdictional boundaries, and determine the capabilities, processes, and expectations among the parties to the agreement.

(d) Requires DPS to invite any appropriate federal agency to enter into the agreement described by Subsection (b).

SECTION 14. Amends Section 85.024, Local Government Code, by amending Subsections (a) and (c) and adding Subsection (c-1), as follows:

(a) Requires the sheriff of a county, rather than the sheriff of a county with a total population of less than 350,000, in which a public school is located, to call and conduct an annual meeting, rather than semiannual meetings, to discuss certain topics, including each public school's multihazard emergency operations plan, including a discussion and analysis of how the school's multihazard emergency operations plan would be implemented in an emergency situation. Makes nonsubstantive changes.

(c) Requires certain persons, in a county with a population of less than 350,000, to attend a meeting called under Subsection (a), including a representative of TDEM. Makes nonsubstantive changes.

(c-1) Requires the following persons, in a county with a population of 350,000 or more, to attend a meeting called under Subsection (a):

(1) for each school district located in the county, either the police chief of the district's police department, or the chief's designee, or if the district contracts with another political subdivision for law enforcement services, the chief administrative officer of the law enforcement agency providing law enforcement services to the district, or the officer's designee;

(2) the superintendent of each school district located in the county; and

(3) any other person the sheriff considers appropriate.

SECTION 15. Amends Chapter 391, Local Government Code, by adding Section 391.0041, as follows:

Sec. 391.0041. MENTAL HEALTH RESOURCES PLAN FOR FIRST RESPONDER INVOLVED IN CRITICAL INCIDENT. (a) Defines "council of governments," "critical incident," and "first responder."

(b) Requires TDEM, in coordination with the Health and Human Services Commission and DSHS, to develop a mental health resources plan to address the mental health needs of first responders following a critical incident and provide the plan to each emergency management director in this state.

(c) Provides that a plan developed under Subsection (b) is:

(1) required to identify and provide for:

(A) education and training to a first responder prior to a critical incident on topics including the potential psychological impact that being involved in an incident may have on the first responder and resources available to the first responder to address the psychological impact of an incident, including mental health counseling, peer support programs, and stress management practices; or

(B) a list of recommended providers located within the territory of the council of governments who can provide the education and training described by Paragraph (A);

(2) authorized to recommend that an employer of a first responder create a process to conduct a critical incident stress debriefing following an incident and create a peer support program to support the first responder following an incident; and

(3) authorized to include any other recommendation the council of governments considers appropriate to address the mental health needs of a first responder following a critical incident.

(d) Requires each political subdivision that receives a plan under this section to implement the plan and share the plan with each council of governments that has jurisdiction over the political subdivision to ensure regional plan integration and awareness.

SECTION 16. Amends Section 1701.163, Occupations Code, as follows:

Sec. 1701.163. MINIMUM STANDARDS FOR LAW ENFORCEMENT AGENCIES. (a) Creates this subsection from existing text. Requires TCOLE, with input from an advisory committee, to by rule establish minimum standards with respect to the creation or continued operation of a law enforcement agency based on the function, size, and jurisdiction of the agency, including:

(1)-(2) makes no changes to these subdivisions;

(3) the physical resources available to officers, including:

(A)-(C) makes no changes to these paragraphs;

(D) protective equipment, including a requirement of access to at least one breaching tool and one ballistic shield; and

(E)-(F) makes no changes to these paragraphs;

(4) makes no changes to this subdivision;

(5) the policies of the agency, including policies on:

(A)-(G) makes no changes to these paragraphs;

(H) active shooters, including a detailed written policy based on current best practices for responding to an active shooter incident at a primary or secondary school facility and a recommendation for the frequency at which simulated emergency drills should be conducted; and

(I) makes no changes to this paragraph; and

(6)-(8) makes no changes to these subdivisions.

(b) Authorizes a law enforcement agency to enter into a mutual aid agreement with a law enforcement agency with overlapping or adjacent jurisdiction to share protective equipment during a critical incident, as defined by Section 391.0041, Local Government Code, to meet the requirements under Subsection (a)(3)(D).

SECTION 17. Amends Section 1701.253, Occupations Code, by adding Subsection (u) to require TCOLE, as part of the minimum curriculum requirements, to require an officer to complete the training courses described by Section 1701.273.

SECTION 18. Amends Subchapter F, Chapter 1701, Occupations Code, by adding Section 1701.273, as follows:

Sec. 1701.273. TRAINING ON INCIDENT RESPONSE AND COMMAND. (a) Requires TCOLE to require a peace officer to complete certain emergency response management training courses, or a substantially similar successor course as determined by TCOLE, in collaboration with TDEM.

(b) Requires TCOLE to require an officer to complete the training courses described by Subsection (a) unless the officer has completed the training under Section 1701.253(u).

SECTION 19. Amends Subchapter H, Chapter 1701, Occupations Code, by adding Section 1701.3526, as follows:

Sec. 1701.3526. CONTINUING EDUCATION ON INCIDENT RESPONSE AND COMMAND. (a) Requires TCOLE to require a peace officer whose duties involve the supervision of officers in an incident response to complete, as part of the continuing education programs under Section 1701.351(a) (relating to requiring each peace officer to complete at least 40 hours of continuing education programs), an advanced incident response and command course, in collaboration with TDEM, as determined by TCOLE rule.

(b) Provides that the exemption under Section 1701.351(d) (relating to providing that a certain peace officer is exempt from the continuing education requirements of this subchapter) does not apply to the training required by Subsection (a).

SECTION 20. Repealer: Section 85.024(b) (relating to providing that the sheriff of certain counties is only required to hold one semiannual meeting), Local Government Code.

SECTION 21. Requires the center, not later than December 1, 2025, to develop the template and training program required by Section 96.42, Education Code, as added by this Act.

SECTION 22. Requires TDEM, not later than December 1, 2025, to develop and post the guide required by Section 418.059, Government Code, as added by this Act.

SECTION 23. Requires TDEM, not later than December 1, 2025, to develop the training program required by Section 418.1877(c), Government Code, as added by this Act.

SECTION 24. Requires a public information officer described by Section 411.3735 or 418.332, Government Code, as added by this Act, who was employed or appointed before the effective date of this Act, to obtain the certification required by Section 418.333, Government Code, as added by this Act, not later than September 1, 2026.

SECTION 25. Requires DPS and local law enforcement agencies, not later than January 1, 2026, to enter into mutual aid agreements as required by Section 772.014, Government Code, as added by this Act.

SECTION 26. Requires each council of governments, as defined by Section 391.0041, Local Government Code, as added by this Act, as soon as practicable after the effective date of this Act, to develop a mental health resources plan required to be created under that section.

SECTION 27. Requires TCOLE, as soon as practicable after the effective date of this Act, to adopt rules to implement the changes in law made by this Act to Subchapters D (Powers and Duties of the Commission), F (Training Programs, Schools, and Policies) and H (Continuing Education and Yearly Weapons Proficiency), Chapter 1701 (Law Enforcement Officer), Occupations Code.

SECTION 28. Makes application of the minimum curriculum requirements under Section 1701.253(u), Occupations Code, as added by this Act, prospective to January 1, 2026.

SECTION 29. Makes application of Section 1701.3526, Occupations Code, as added by this Act, prospective.

SECTION 30. Effective date: September 1, 2025.