

BILL ANALYSIS

Senate Research Center

H.B. 1458
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Education K-16
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Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

In response to the mandate requiring armed security officers on every public-school campus in Texas, many school districts, particularly in rural and smaller communities, are struggling to comply due to a shortage of available licensed officers. Existing law limits the pool of eligible personnel, creating operational challenges for districts attempting to maintain campus security. Additionally, some districts lack the financial resources to hire full-time peace officers, further complicating compliance.

H.B. 1458 addresses these challenges by expanding the pool of eligible individuals who may serve as armed security officers on public school campuses. The bill authorizes school district police chiefs to appoint reserve officers, including reserve deputy sheriffs, reserve police officers, and honorably retired peace officers, under specific conditions. This legislation aims to provide districts with increased flexibility while maintaining rigorous training and licensure standards for armed personnel. Additionally, the bill establishes a formal framework for the appointment, supervision, and operational limitations of reserve officers, ensuring that districts can meet security requirements without compromising safety standards.

H.B. 1458 amends current law relating to the armed security officers required to be present at public schools and the appointment of reserve police officers by a school district police department.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Article 2A.001, Code of Criminal Procedure, to conform to Section 2, Chapter 624 (H.B. 4372), Section 1, Chapter 870 (H.B. 3981), Section 1, Chapter 950 (S.B. 1727), and Section 1, Chapter 984 (S.B. 2612), Acts of the 88th Legislature, Regular Session, 2023, and further amends it, as follows:

Art. 2A.001. PEACE OFFICERS GENERALLY. Provides that the following are peace officers:

- (1)-(7) makes no changes to these subdivisions;
- (8) an officer commissioned under Section 37.081 (School District Peace Officers, School Resource Officers, and Security Personnel) or 37.0818 (Private School Peace Officers), Education Code, or Subchapter E (Protection of Buildings and Grounds), Chapter 51 (Provisions Generally Applicable to Higher Education), Education Code, or a reserve police officer appointed under Section 37.0816, Education Code, who holds a permanent peace officer license issued under Chapter 1701 (Law Enforcement Officers), Occupations Code;
- (9)-(26) makes no changes to these subdivisions;

(27) an officer appointed by the inspector general of the Texas Juvenile Justice Department (TDCJ), rather than an apprehension specialist or inspector general commissioned by TDCJ as an officer, under Section 242.102, rather than Section 242.102 (Office of Inspector General) or 243.052 (Apprehension Specialists), Human Resources Code;

(28)-(31) makes no changes to these subdivisions;

(32) a fire marshal or any officer, inspector, or investigator of a municipality who holds a permanent peace officer license issued under Chapter 1701, Occupations Code;

(33) creates this subdivision from existing text and makes no further changes; and

(34) an Alamo complex ranger commissioned by the General Land Office under Section 31.0515 (Duties Related to the Alamo Complex), Natural Resources Code, subject to the limitations imposed by that section, rather than an investigator commissioned by TDCJ as an officer under Section 221.011 (Investigators), Human Resources Code.

SECTION 2. Amends Section 37.0814(b), Education Code, as follows:

(b) Requires a security officer described by Subsection (a) (relating to requiring the board of trustees of each school district to determine the appropriate number of armed security officers for each district campus) to be certain persons, including a reserve deputy sheriff appointed under Section 85.004 (Reserve Deputies), Local Government Code, who is a peace officer as described by Article 2A.001, Code of Criminal Procedure, a reserve police officer appointed under Section 37.0816 who is a peace officer as described by Article 2A.001, Code of Criminal Procedure, or an honorably retired peace officer, as that term is defined by Section 614.121 (Definitions), Government Code, who has met certain criteria.

SECTION 3. Amends Subchapter C, Chapter 37, Education Code, by adding Section 37.0816, as follows:

Sec. 37.0816. RESERVE POLICE OFFICERS. (a) Authorizes the board of trustees of a school district (board) to authorize the chief of police of the school district police department to appoint reserve police officers for the district. Authorizes the board to limit the number of reserve police officers that the chief is authorized to appoint.

(b) Provides that a reserve police officer serves at the discretion of the chief of police of the school district police department and may be called into service at any time that the chief considers it necessary to have additional officers to preserve the peace and enforce the law.

(c) Authorizes the chief of police of a school district police department to authorize a reserve police officer who holds a permanent peace officer license issued under Chapter 1701, Occupations Code, to carry a weapon or act as a peace officer at all times, regardless of whether the reserve police officer is engaged in the actual discharge of official duties, or to limit the authority of the reserve police officer to carry a weapon or act as a peace officer to only those times during which the reserve police officer is engaged in the actual discharge of official duties.

(d) Provides that a reserve police officer who does not hold a permanent peace officer license issued under Chapter 1701, Occupations Code, is authorized to act as a peace officer only under certain circumstances.

(e) Provides that a reserve police officer on active duty at the call of the chief of police of the school district police department and actively engaged in assigned

duties has the same rights, privileges, and duties as any other peace officer of the state.

(f) Provides that a reserve police officer, regardless of whether the reserve police officer holds a permanent peace officer license issued under Chapter 1701, Occupations Code, is not eligible for participation in any program provided by the Texas Education Agency or the board that is normally considered a financial benefit of full-time employment or for any pension fund created by statute for the benefit of full-time paid peace officers or exempt from Chapter 1702 (Private Security), Occupations Code.

SECTION 4. Amends Section 1701.001(6), Occupations Code, to redefine "reserve law enforcement officer,"

SECTION 5. Provides that, to the extent of any conflict, this Act prevails over another Act of the 89th Legislature, Regular Session, 2025, relating to nonsubstantive additions to and corrections in enacted codes.

SECTION 6. Effective date: September 1, 2025.