

AN ACT

relating to active shooter incidents at primary and secondary school facilities and other emergencies.

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

SECTION 1. This Act may be cited as the Uvalde Strong Act.

SECTION 2. Section 12.104(b), Education Code, is amended to read as follows:

(b) An open-enrollment charter school is subject to:

(1) a provision of this title establishing a criminal offense;

(2) the provisions in Chapter 554, Government Code; and

(3) a prohibition, restriction, or requirement, as applicable, imposed by this title or a rule adopted under this title, relating to:

(A) the Public Education Information Management System (PEIMS) to the extent necessary to monitor compliance with this subchapter as determined by the commissioner;

(B) criminal history records under Subchapter C, Chapter 22;

(C) reading instruments and accelerated reading instruction programs under Section 28.006;

(D) accelerated instruction under Section 28.0211;

- 1 (E) high school graduation requirements under
2 Section 28.025;
- 3 (F) special education programs under Subchapter
4 A, Chapter 29;
- 5 (G) bilingual education under Subchapter B,
6 Chapter 29;
- 7 (H) prekindergarten programs under Subchapter E
8 or E-1, Chapter 29, except class size limits for prekindergarten
9 classes imposed under Section 25.112, which do not apply;
- 10 (I) extracurricular activities under Section
11 33.081;
- 12 (J) discipline management practices or behavior
13 management techniques under Section 37.0021;
- 14 (K) health and safety under Chapter 38;
- 15 (L) the provisions of Subchapter A, Chapter 39;
- 16 (M) public school accountability and special
17 investigations under Subchapters A, B, C, D, F, G, and J, Chapter
18 39, and Chapter 39A;
- 19 (N) the requirement under Section 21.006 to
20 report an educator's misconduct;
- 21 (O) intensive programs of instruction under
22 Section 28.0213;
- 23 (P) the right of a school employee to report a
24 crime, as provided by Section 37.148;
- 25 (Q) bullying prevention policies and procedures
26 under Section 37.0832;
- 27 (R) the right of a school under Section 37.0052

1 to place a student who has engaged in certain bullying behavior in a
2 disciplinary alternative education program or to expel the student;

3 (S) the right under Section 37.0151 to report to
4 local law enforcement certain conduct constituting assault or
5 harassment;

6 (T) a parent's right to information regarding the
7 provision of assistance for learning difficulties to the parent's
8 child as provided by Sections 26.004(b)(11) and 26.0081(c) and (d);

9 (U) establishment of residency under Section
10 25.001;

11 (V) school safety requirements under Sections
12 37.0814, 37.108, 37.1081, 37.1082, 37.1083, 37.1084, 37.1085,
13 37.1086, 37.1087, 37.109, 37.113, 37.114, 37.1141, 37.115, 37.207,
14 and 37.2071 and Subchapter J, Chapter 37;

15 (W) the early childhood literacy and mathematics
16 proficiency plans under Section 11.185;

17 (X) the college, career, and military readiness
18 plans under Section 11.186; and

19 (Y) parental options to retain a student under
20 Section 28.02124.

21 SECTION 3. Sections 37.108(a) and (b), Education Code, are
22 amended to read as follows:

23 (a) Each school district or public junior college district
24 shall adopt and implement a multihazard emergency operations plan
25 for use in the district's facilities. The plan must address
26 prevention, mitigation, preparedness, response, and recovery,
27 including the prompt recovery of services provided by the school

1 district or public junior college district, as defined by the Texas
2 School Safety Center in conjunction with the governor's office of
3 homeland security, the commissioner of education, and the
4 commissioner of higher education. The plan must provide for:

5 (1) training in responding to an emergency for
6 district employees, including substitute teachers;

7 (2) measures to ensure district employees, including
8 substitute teachers, have classroom access to a telephone,
9 including a cellular telephone, or another electronic
10 communication device allowing for immediate contact with district
11 emergency services or emergency services agencies, law enforcement
12 agencies, health departments, and fire departments;

13 (3) measures to ensure district communications
14 technology and infrastructure are adequate to allow for
15 communication during an emergency, including measures to ensure the
16 use of standardized response protocol terminology, developed in
17 coordination with the Texas School Safety Center, to facilitate
18 communication between law enforcement, emergency services,
19 district employees, and the public;

20 (4) if the plan applies to a school district,
21 mandatory school drills and exercises, including drills required
22 under Section 37.114, to prepare district students and employees
23 for responding to an emergency;

24 (5) measures to ensure coordination with the
25 Department of State Health Services and local emergency management
26 agencies, law enforcement, health departments, and fire
27 departments in the event of an emergency;

(6) the implementation of a safety and security audit as required by Subsection (b); and

(7) any other requirements established by the Texas School Safety Center in consultation with the agency and relevant local law enforcement agencies.

(b) At least once every three years, each school district or public junior college district shall 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. A district, or a person included in the registry established by the Texas School Safety Center under Section 37.2091 who is engaged by the district to conduct a safety and security audit, shall follow safety and security audit procedures developed by the Texas School Safety Center in coordination with the commissioner of education or commissioner of higher education, as applicable.

SECTION 4. Section 37.1083(a), Education Code, is amended to read as follows:

(a) The agency shall monitor the implementation and operation of requirements related to school district safety and security, including school district:

(1) multihazard emergency operations plans; ~~and~~

(2) safety and security audits; and

(3) security reviews.

SECTION 5. Subchapter D, Chapter 37, Education Code, is amended by adding Section 37.1087 to read as follows:

Sec. 37.1087. SECURITY REVIEW. (a) If a school district constructs, acquires, renovates, or improves a district facility,

1 the district shall, as soon as practicable, conduct a security
2 review of the facility to:

3 (1) determine whether the facility meets school safety
4 and security requirements as described by commissioner rule; and

5 (2) identify security vulnerabilities at the facility
6 in the event of an active shooter incident and describe strategies
7 to mitigate each vulnerability identified.

8 (b) The commissioner, in consultation with the Department
9 of Public Safety, the Texas Division of Emergency Management, and
10 the Texas School Safety Center, shall ensure that the rules adopted
11 or amended under Section 7.061 include rules for the review
12 required under this section.

13 SECTION 6. Subchapter D, Chapter 37, Education Code, is
14 amended by adding Section 37.1171 to read as follows:

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

20 SECTION 7. Section 51.217(b), Education Code, is amended to
21 read as follows:

22 (b) An institution shall adopt and implement a multihazard
23 emergency operations plan for use at the institution. The plan must
24 address mitigation, preparedness, response, and recovery,
25 including the prompt recovery of services provided by the
26 institution. The plan must provide for:

27 (1) employee training in responding to an emergency;

(2) mandatory drills to prepare students, faculty, and employees for responding to an emergency;

(3) measures to ensure coordination with the Department of State Health Services, local emergency management agencies, law enforcement, health departments, and fire departments in the event of an emergency; and

(4) the implementation of a safety and security audit as required by Subsection (c).

SECTION 8. Subchapter C, Chapter 96, Education Code, is amended by adding Section 96.42 to read as follows:

Sec. 96.42. ADVANCED LAW ENFORCEMENT RAPID RESPONSE TRAINING CENTER; CERTAIN DUTIES. (a) In this section:

(1) "Center" means the Advanced Law Enforcement Rapid Response Training Center at Texas State University--San Marcos.

(2) "Emergency medical services personnel" and "emergency medical services provider" have the meanings assigned by Section 773.003, Health and Safety Code.

(3) "Local law enforcement agency" means a political subdivision of this state authorized by law to employ or appoint peace officers.

(b) The center shall 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. The center may collaborate with the Texas Division of Emergency Management, the Department of Public Safety, the Sheriffs' Association of Texas, or

1 the Texas Police Chiefs Association to develop the template. The
2 template must include:

3 (1) prompts for reporting on the following items:

4 (A) a brief description and outcome of the active
5 shooter incident;

6 (B) a statement of personnel and equipment
7 deployed during the incident;

8 (C) a cost analysis, including salaries,
9 equipment, and incidentals;

10 (D) a copy of appropriate incident logs and
11 reports;

12 (E) any maps, forms, or related documentation
13 used in responding to or evaluating the agency's or provider's
14 response to the incident;

15 (F) a summary of any deaths or injuries that
16 occurred as a result of the incident;

17 (G) any information relating to the status of
18 criminal investigations and subsequent prosecutions arising out of
19 the incident; and

20 (H) a final evaluation, including:

21 (i) conclusions relating to the agency's or
22 provider's response to the incident;

23 (ii) problems encountered during the
24 response regarding personnel, equipment, resources, or multiagency
25 response;

26 (iii) suggestions for revising policy, such
27 as improving training and equipment; and

1 (iv) any additional considerations that
2 would improve the agency's or provider's response to active shooter
3 incidents at primary or secondary school facilities in the future;
4 and

5 (2) any other content the center considers
6 appropriate.

7 (c) The center shall develop a training program for peace
8 officers and emergency medical services personnel for responding to
9 active shooter incidents at primary and secondary school facilities
10 as required by Section 418.1877(b), Government Code. In developing
11 the training program, the center:

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

17 (2) may collaborate with the Texas Division of
18 Emergency Management, the Texas Commission on Law Enforcement, the
19 Department of Public Safety, or the Department of State Health
20 Services.

21 (d) In developing the training program under Subsection
22 (c), if a report described by Subsection (c)(1) is not immediately
23 available, the center shall update the training program as soon as a
24 report described by that subdivision becomes available to
25 incorporate the report's findings.

26 SECTION 9. Subchapter L-1, Chapter 411, Government Code, is
27 amended by adding Section 411.3735 to read as follows:

1 Sec. 411.3735. CERTIFICATION AND CONTINUING EDUCATION
2 REQUIRED FOR CERTAIN PUBLIC INFORMATION OFFICERS. (a) In this
3 section:

4 (1) "Division" means the Texas Division of Emergency
5 Management.

6 (2) "Public information officer" means an individual
7 who is employed or appointed by a state agency or local government
8 entity and whose duties include communicating with the public
9 during a disaster regarding the disaster.

10 (b) Each of the following entities shall employ or appoint a
11 public information officer who must obtain certification in
12 emergency communications from the division and complete continuing
13 education on emergency communications as provided by Subchapter K,
14 Chapter 418:

15 (1) a municipal police department;

16 (2) a sheriff's office;

17 (3) a county constable's office;

18 (4) a school district police department; and

19 (5) the department.

20 (c) The chief administrative officer of an agency may be
21 appointed or employed as a public information officer.

22 SECTION 10. Subchapter C, Chapter 418, Government Code, is
23 amended by adding Section 418.059 to read as follows:

24 Sec. 418.059. GUIDE ON PREPARING FOR AND RESPONDING TO
25 ACTIVE SHOOTER INCIDENT AT SCHOOL FACILITY. (a) The division, in
26 coordination with the Emergency Management Council, shall develop a
27 guide on preparing for and responding to an active shooter incident

1 at a primary or secondary school facility for civic, volunteer, and
2 community organizations.

3 (b) The division shall post the guide on the division's
4 Internet website for public use. The guide must provide a
5 comprehensive approach to preparing for and responding to active
6 shooter incidents at primary and secondary school facilities and
7 include information on:

8 (1) understanding mass violence incidents and best
9 practices for community engagement related to those incidents;

10 (2) incident command structure;

11 (3) coordination of and access to resources, including
12 trauma and support services, acute support services, long-term
13 support services, spiritual support services, and family or victim
14 assistance;

15 (4) long-term recovery and community resilience;

16 (5) communication coordination;

17 (6) training and planning resources; and

18 (7) preserving and restoring community cohesion and
19 public life after the incident.

20 (c) In developing and revising the guide, the division may,
21 in collaboration with the department, seek the advice and
22 assistance of local governments, civic organizations, volunteer
23 organizations, and community leaders.

24 SECTION 11. Subchapter [H](#), Chapter [418](#), Government Code, is
25 amended by adding Sections 418.1873 and 418.1877 to read as
26 follows:

27 Sec. 418.1873. EVALUATION AND REPORT ON RESPONSE TO ACTIVE

SHOOTER INCIDENT AT SCHOOL FACILITY REQUIRED FOR CERTAIN ENTITIES.

(a) In this section:

(1) "Emergency medical services" and "emergency medical services provider" have the meanings assigned by Section 773.003, Health and Safety Code.

(2) "Local law enforcement agency" means a political subdivision of this state authorized by law to employ or appoint peace officers.

(b) 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, shall:

(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 the division, the department, and the Advanced Law Enforcement Rapid Response Training Center at Texas State University--San Marcos 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 the division, the department, and the Advanced Law Enforcement Rapid Response Training Center at Texas State University--San Marcos.

(c) For purposes of implementing this section:

(1) the Texas Commission on Law Enforcement shall

adopt rules with respect to local law enforcement agencies; and

(2) the division shall adopt rules with respect to emergency medical services and emergency medical services providers.

(d) The division, in coordination with the Texas School Safety Center, shall 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) 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 regarding that incident.

(f) Information obtained or created by the division or the department in carrying out their obligations under this section are confidential and are not subject to disclosure under Chapter 552.

(g) Any meetings between a law enforcement agency or emergency medical services provider and the division or the department are not subject to the open meeting requirements of Chapter 551.

Sec. 418.1877. TRAINING ON RESPONSES TO ACTIVE SHOOTER INCIDENTS AT SCHOOL FACILITIES REQUIRED. (a) In this section:

(1) "Emergency medical services personnel" and "emergency medical services provider" have the meanings assigned by Section 773.003, Health and Safety Code.

(2) "Local law enforcement agency" has the meaning assigned by Section 418.1873.

REQUIRED FOR CERTAIN PUBLIC INFORMATION OFFICERS. (a) Each of the following entities shall employ or appoint a public information officer who must obtain certification in emergency communications from the division and complete continuing education on emergency communications as provided by this subchapter:

- (1) a municipality;
- (2) a county;
- (3) an independent school district;
- (4) an open-enrollment charter school; and
- (5) the division.

(b) The chief administrator of an agency may be appointed or employed as a public information officer.

Sec. 418.333. CERTIFICATION AND CONTINUING EDUCATION. (a) A public information officer described by Sections 411.3735 and 418.332 shall:

- (1) obtain certification from the division in emergency communications not later than the first anniversary of the date the public information officer was hired or appointed; and
- (2) complete a continuing education program on emergency communications approved by the division once during each 12-month period beginning on the date the public information officer obtained certification.

(b) The division shall establish minimum education and training requirements for initial certification and continuing education under this subchapter. The minimum requirements must comply with the policies and standards developed by the Texas Commission on Law Enforcement under Section 1701.163, Occupations

1 Code. These minimum requirements must include courses on:

- 2 (1) the National Incident Management System;
3 (2) the Incident Command System; and
4 (3) the basic skills and principles necessary to
5 fulfill the role of a public information officer with respect to
6 emergency communications.

7 (c) The division shall assist the entities subject to
8 Sections 411.3735 and 418.332 in identifying approved training
9 programs.

10 (d) The following courses may be taken to satisfy minimum
11 education and training requirements under this subchapter:

12 (1) a course provided by the Bill Blackwood Law
13 Enforcement Management Institute of Texas; or

14 (2) a course approved by the Texas Commission on Law
15 Enforcement.

16 Sec. 418.334. COMPLIANCE RECORDS; INSPECTION. (a) Each
17 entity subject to Section 418.332 shall:

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

22 (2) submit to the division the compliance records
23 required to be maintained under Subdivision (1).

24 (b) The division shall permit inspection and copying by the
25 department of the compliance records the division maintains under
26 Subsection (a)(1) during reasonable hours and in a reasonable
27 manner.

1 Sec. 418.335. RULES. The division may adopt rules to
2 administer this subchapter.

3 SECTION 13. Subchapter A, Chapter 772, Government Code, is
4 amended by adding Sections 772.00791, 772.013, and 772.014 to read
5 as follows:

6 Sec. 772.00791. FIRST RESPONDER AND TELECOMMUNICATOR
7 ACTIVE ATTACK INTEGRATED RESPONSE TRAINING GRANT PROGRAM. (a) In
8 this section:

9 (1) "Criminal justice division" means the criminal
10 justice division established under Section 772.006.

11 (2) "First responder" has the meaning assigned by
12 Section 772.013.

13 (3) "Telecommunicator" has the meaning assigned by
14 Section 1701.001, Occupations Code.

15 (b) The criminal justice division shall establish and
16 administer a grant program to provide financial assistance to first
17 responders and telecommunicators for the purpose of attending an
18 active attack integrated response training course through the
19 Advanced Law Enforcement Rapid Response Training Center at Texas
20 State University--San Marcos or a similar course approved by the
21 division.

22 (c) The criminal justice division shall establish:

23 (1) eligibility criteria for grant applicants;

24 (2) grant application procedures;

25 (3) criteria for evaluating grant applications and
26 awarding grants;

27 (4) guidelines related to grant amounts; and

1 (5) procedures for monitoring the use of a grant
2 awarded under this section and ensuring compliance with any
3 conditions of the grant.

4 (d) The criminal justice division may use any revenue
5 available for purposes of this section.

6 Sec. 772.013. COMPLEX EMERGENCY RESPONSE AND INVESTIGATION
7 PLANNING FOR DEPARTMENT OF PUBLIC SAFETY AND CERTAIN POLITICAL
8 SUBDIVISIONS. (a) In this section:

9 (1) "Department" means the Department of Public
10 Safety.

11 (2) "First responder" means:

12 (A) a peace officer described by Article [2A.001](#),
13 Code of Criminal Procedure;

14 (B) an individual included as fire protection
15 personnel by Section [419.021](#); and

16 (C) an individual included as emergency medical
17 services personnel by Section [773.003](#), Health and Safety Code.

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

26 (c) The department, each sheriff described by Subsection
27 (b), and each governmental entity identified by the sheriff under

1 that subsection shall collectively participate in:

2 (1) a multiagency tabletop exercise at least once each
3 odd-numbered year; and

4 (2) an in-person drill at least once each
5 even-numbered year.

6 (d) The department shall invite any appropriate federal
7 agency to participate in an exercise described by Subsection (c).

8 Sec. 772.014. MUTUAL AID AGREEMENTS BETWEEN DEPARTMENT OF
9 PUBLIC SAFETY AND LOCAL LAW ENFORCEMENT AGENCIES. (a) In this
10 section, "department" means the Department of Public Safety.

11 (b) The department and each governmental entity identified
12 by a sheriff under Section 772.013(b) shall collectively enter into
13 a mutual aid agreement that establishes the procedures for the
14 provision of resources, personnel, facilities, equipment, and
15 supplies in responses to critical incidents in a vertically
16 integrated fashion.

17 (c) In establishing the procedures, the department and
18 local law enforcement agencies shall:

19 (1) give priority to establishing the
20 interoperability of communications equipment among the parties to
21 the agreement;

22 (2) establish procedures for interagency coordination
23 in activities arising from critical incidents, including evidence
24 collection;

25 (3) set jurisdictional boundaries; and

26 (4) determine the capabilities, processes, and
27 expectations among the parties to the agreement.

1 (d) The department shall invite any appropriate federal
2 agency to enter into the agreement described by Subsection (b).

3 SECTION 14. Section 85.024, Local Government Code, is
4 amended by amending Subsections (a) and (c) and adding Subsection
5 (c-1) to read as follows:

6 (a) The sheriff of a county [~~with a total population of less~~
7 ~~than 350,000~~] in which a public school is located shall call and
8 conduct an annual meeting [~~semiannual meetings~~] to discuss:

- 9 (1) school safety;
- 10 (2) coordinated law enforcement response to school
11 violence incidents;
- 12 (3) law enforcement agency capabilities;
- 13 (4) available resources;
- 14 (5) emergency radio interoperability;
- 15 (6) chain of command planning; [~~and~~]
- 16 (7) each public school's multihazard emergency
17 operations plan, including a discussion and analysis of how the
18 school's multihazard emergency operations plan would be
19 implemented in an emergency situation; and
- 20 (8) other related subjects proposed by a person in
21 attendance at the meeting.

22 (c) In a county with a population of less than 350,000, the
23 [~~The~~] following persons shall attend a meeting called under
24 Subsection (a):

- 25 (1) the sheriff or the sheriff's designee;
- 26 (2) the police chief of a municipal police department
27 in the county or the police chief's designee;

1 (3) each elected constable in the county or the
2 constable's designees;

3 (4) each police chief of a school district's police
4 department or school district security coordinator from each school
5 district located in the county;

6 (5) a representative of the Department of Public
7 Safety assigned to the county;

8 (6) a representative of each other state agency with
9 commissioned peace officers assigned to the county;

10 (7) a person appointed to a command staff position at
11 an emergency medical service in the county;

12 (8) a person appointed to a command staff position at a
13 municipal emergency medical service in the county;

14 (9) a person appointed to a command staff position at a
15 fire department in the county;

16 (10) the superintendent or the superintendent's
17 designee of each school district located in the county;

18 (11) the person who serves the function of
19 superintendent, or that person's designee, in each open-enrollment
20 charter school located in the county; ~~and~~

21 (12) a representative of the Texas Division of
22 Emergency Management; and

23 (13) any other person the sheriff considers
24 appropriate.

25 (c-1) In a county with a population of 350,000 or more, the
26 following persons shall attend a meeting called under Subsection
27 (a):

1 (1) for each school district located in the county,
2 either:

3 (A) the police chief of the district's police
4 department, or the chief's designee; or

5 (B) if the district contracts with another
6 political subdivision for law enforcement services, the chief
7 administrative officer of the law enforcement agency providing law
8 enforcement services to the district, or the officer's designee;

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

11 (3) any other person the sheriff considers
12 appropriate.

13 SECTION 15. Chapter 391, Local Government Code, is amended
14 by adding Section 391.0041 to read as follows:

15 Sec. 391.0041. MENTAL HEALTH RESOURCES PLAN FOR FIRST
16 RESPONDER INVOLVED IN CRITICAL INCIDENT. (a) In this section:

17 (1) "Council of governments" means a regional planning
18 commission for a state planning region created under this chapter.

19 (2) "Critical incident" means an incident involving a
20 first responder that occurs while the first responder is performing
21 official duties and that results in serious bodily injury to the
22 first responder or poses a substantial risk of serious bodily
23 injury or death to the first responder or of serious harm to the
24 first responder's mental health or well-being.

25 (3) "First responder" means:

26 (A) a peace officer described by Article 2A.001,
27 Code of Criminal Procedure;

1 (B) an individual included as fire protection
2 personnel by Section 419.021, Government Code; and

3 (C) an individual included as emergency medical
4 services personnel by Section 773.003, Health and Safety Code.

5 (b) The Texas Division of Emergency Management, in
6 coordination with the Health and Human Services Commission and the
7 Department of State Health Services, shall:

8 (1) develop a mental health resources plan to address
9 the mental health needs of first responders following a critical
10 incident; and

11 (2) provide the plan to each local emergency
12 management director in the state.

13 (c) A plan developed under Subsection (b):

14 (1) must identify and provide for:

15 (A) education and training to a first responder
16 prior to a critical incident on topics including:

17 (i) the potential psychological impact that
18 being involved in an incident may have on the first responder; and

19 (ii) resources available to the first
20 responder to address the psychological impact of an incident,
21 including mental health counseling, peer support programs, and
22 stress management practices; or

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

26 (2) may recommend that an employer of a first
27 responder:

1 (A) create a process to conduct a critical
2 incident stress debriefing following an incident; and

3 (B) create a peer support program to support the
4 first responder following an incident; and

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

8 (d) Each political subdivision that receives a plan under
9 this section shall:

10 (1) implement the plan; and

11 (2) share the plan with each council of governments
12 that has jurisdiction over the political subdivision to ensure
13 regional plan integration and awareness.

14 SECTION 16. Section 1701.163, Occupations Code, is amended
15 to read as follows:

16 Sec. 1701.163. MINIMUM STANDARDS FOR LAW ENFORCEMENT
17 AGENCIES. (a) The commission, with input from an advisory
18 committee, shall by rule establish minimum standards with respect
19 to the creation or continued operation of a law enforcement agency
20 based on the function, size, and jurisdiction of the agency,
21 including:

22 (1) a determination regarding the public benefit of
23 creating the agency in the community;

24 (2) the sustainable funding sources for the agency;

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

27 (A) all standard duty firearms;

1 (B) less lethal force weapons, including a
2 requirement of at least one per officer on duty;

3 (C) effective communications equipment;

4 (D) protective equipment, including a
5 requirement of:

6 (i) at least one bullet-resistant vest per
7 officer on duty; and

8 (ii) access to at least one breaching tool
9 and one ballistic shield;

10 (E) officer uniforms; and

11 (F) patrol vehicles and associated equipment;

12 (4) the physical facilities of the agency, including
13 any evidence room, dispatch area, or public area;

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

15 (A) use of force;

16 (B) vehicle pursuit;

17 (C) professional conduct of officers;

18 (D) domestic abuse protocols;

19 (E) response to missing persons;

20 (F) supervision of part-time officers;

21 (G) impartial policing;

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

27 (I) barricaded subjects;

1 (6) the administrative structure of the agency;
2 (7) liability insurance; and
3 (8) any other standard the commission considers
4 necessary.

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

10 SECTION 17. Section 1701.253, Occupations Code, is amended
11 by adding Subsection (u) to read as follows:

12 (u) As part of the minimum curriculum requirements, the
13 commission shall require an officer to complete the training
14 courses described by Section 1701.273.

15 SECTION 18. Subchapter F, Chapter 1701, Occupations Code,
16 is amended by adding Section 1701.273 to read as follows:

17 Sec. 1701.273. TRAINING ON INCIDENT RESPONSE AND COMMAND.
18 (a) The commission shall require a peace officer to complete the
19 following emergency response management training courses, or a
20 substantially similar successor course as determined by the
21 commission, in collaboration with the Texas Division of Emergency
22 Management:

23 (1) Introduction to the Incident Command System; and
24 (2) National Incident Management System, An
25 Introduction.

26 (b) The commission shall require an officer to complete the
27 training courses described by Subsection (a) unless the officer has

1 completed the training under Section 1701.253(u).

2 SECTION 19. Subchapter H, Chapter 1701, Occupations Code,
3 is amended by adding Section 1701.3526 to read as follows:

4 Sec. 1701.3526. CONTINUING EDUCATION ON INCIDENT RESPONSE
5 AND COMMAND. (a) The commission shall require a peace officer whose
6 duties involve the supervision of officers in an incident response
7 to complete, as part of the continuing education programs under
8 Section 1701.351(a), an advanced incident response and command
9 course, in collaboration with the Texas Division of Emergency
10 Management, as determined by commission rule.

11 (b) The exemption under Section 1701.351(d) does not apply
12 to the training required by Subsection (a).

13 SECTION 20. Section 85.024(b), Local Government Code, is
14 repealed.

15 SECTION 21. Not later than December 1, 2025, the Advanced
16 Law Enforcement Rapid Response Training Center at Texas State
17 University--San Marcos shall develop the template and training
18 program required by Section 96.42, Education Code, as added by this
19 Act.

20 SECTION 22. Not later than December 1, 2025, the Texas
21 Division of Emergency Management shall develop and post the guide
22 required by Section 418.059, Government Code, as added by this Act.

23 SECTION 23. Not later than December 1, 2025, the Texas
24 Division of Emergency Management shall develop the training program
25 required by Section 418.1877(c), Government Code, as added by this
26 Act.

27 SECTION 24. A public information officer described by

1 Section 411.3735 or 418.332, Government Code, as added by this Act,
2 who was employed or appointed before the effective date of this Act
3 shall obtain the certification required by Section 418.333,
4 Government Code, as added by this Act, not later than September 1,
5 2026.

6 SECTION 25. Not later than January 1, 2026, the Department
7 of Public Safety and local law enforcement agencies shall enter
8 into mutual aid agreements as required by Section 772.014,
9 Government Code, as added by this Act.

10 SECTION 26. As soon as practicable after the effective date
11 of this Act, each council of governments, as defined by Section
12 391.0041, Local Government Code, as added by this Act, shall
13 develop a mental health resources plan required to be created under
14 that section.

15 SECTION 27. As soon as practicable after the effective date
16 of this Act, the Texas Commission on Law Enforcement shall adopt
17 rules to implement the changes in law made by this Act to
18 Subchapters D, F, and H, Chapter 1701, Occupations Code.

19 SECTION 28. The minimum curriculum requirements under
20 Section 1701.253(u), Occupations Code, as added by this Act, apply
21 only to an officer who first begins to satisfy those requirements on
22 or after January 1, 2026.

23 SECTION 29. Section 1701.3526, Occupations Code, as added
24 by this Act, applies only with respect to a 24-month continuing
25 education training unit that begins on or after the effective date
26 of this Act. A training unit that begins before the effective date
27 of this Act is governed by the law in effect on the date the training

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1 unit began, and the former law is continued in effect for that
2 purpose.

3 SECTION 30. This Act takes effect September 1, 2025.

President of the Senate

Speaker of the House

I certify that H.B. No. 33 was passed by the House on April 29, 2025, by the following vote: Yeas 148, Nays 0, 1 present, not voting; and that the House concurred in Senate amendments to H.B. No. 33 on May 23, 2025, by the following vote: Yeas 135, Nays 0, 2 present, not voting.

Chief Clerk of the House

I certify that H.B. No. 33 was passed by the Senate, with amendments, on May 19, 2025, by the following vote: Yeas 31, Nays 0.

Secretary of the Senate

APPROVED: _____
Date

Governor