

1-1 By: McLaughlin, et al. H.B. No. 33  
1-2 (Senate Sponsor - Flores, et al.)  
1-3 (In the Senate - Received from the House April 29, 2025;  
1-4 April 29, 2025, read first time and referred to Committee on  
1-5 Criminal Justice; May 14, 2025, reported adversely, with favorable  
1-6 Committee Substitute by the following vote: Yeas 7, Nays 0;  
1-7 May 14, 2025, sent to printer.)

1-8 COMMITTEE VOTE

1-9		Yea	Nay	Absent	PNV
1-10	Flores	X			
1-11	Parker	X			
1-12	Hagenbuch	X			
1-13	Hinojosa of Hidalgo	X			
1-14	Huffman	X			
1-15	King	X			
1-16	Miles	X			

1-17 COMMITTEE SUBSTITUTE FOR H.B. No. 33 By: Hinojosa of Hidalgo

1-18 A BILL TO BE ENTITLED  
1-19 AN ACT

1-20 relating to active shooter incidents at primary and secondary  
1-21 school facilities and other emergencies.

1-22 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-23 SECTION 1. This Act may be cited as the Uvalde Strong Act.

1-24 SECTION 2. Section 12.104(b), Education Code, is amended to  
1-25 read as follows:

1-26 (b) An open-enrollment charter school is subject to:

1-27 (1) a provision of this title establishing a criminal  
1-28 offense;

1-29 (2) the provisions in Chapter 554, Government Code;  
1-30 and

1-31 (3) a prohibition, restriction, or requirement, as  
1-32 applicable, imposed by this title or a rule adopted under this  
1-33 title, relating to:

1-34 (A) the Public Education Information Management  
1-35 System (PEIMS) to the extent necessary to monitor compliance with  
1-36 this subchapter as determined by the commissioner;

1-37 (B) criminal history records under Subchapter C,  
1-38 Chapter 22;

1-39 (C) reading instruments and accelerated reading  
1-40 instruction programs under Section 28.006;

1-41 (D) accelerated instruction under Section  
1-42 28.0211;

1-43 (E) high school graduation requirements under  
1-44 Section 28.025;

1-45 (F) special education programs under Subchapter  
1-46 A, Chapter 29;

1-47 (G) bilingual education under Subchapter B,  
1-48 Chapter 29;

1-49 (H) prekindergarten programs under Subchapter E  
1-50 or E-1, Chapter 29, except class size limits for prekindergarten  
1-51 classes imposed under Section 25.112, which do not apply;

1-52 (I) extracurricular activities under Section  
1-53 33.081;

1-54 (J) discipline management practices or behavior  
1-55 management techniques under Section 37.0021;

1-56 (K) health and safety under Chapter 38;

1-57 (L) the provisions of Subchapter A, Chapter 39;

1-58 (M) public school accountability and special  
1-59 investigations under Subchapters A, B, C, D, F, G, and J, Chapter  
1-60 39, and Chapter 39A;

(N) the requirement under Section 21.006 to report an educator's misconduct;

(O) intensive programs of instruction under Section 28.0213;

(P) the right of a school employee to report a crime, as provided by Section 37.148;

(Q) bullying prevention policies and procedures under Section 37.0832;

(R) the right of a school under Section 37.0052 to place a student who has engaged in certain bullying behavior in a disciplinary alternative education program or to expel the student;

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

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

(U) establishment of residency under Section 25.001;

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

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

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

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

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

(a) Each school district or public junior college district shall adopt and implement a multihazard emergency operations plan for use in the district's facilities. The plan must 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, and the commissioner of higher education. The plan must provide for:

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

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

(3) 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;

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

(5) measures to ensure coordination with the Department of State Health Services and local emergency management agencies, law enforcement, health departments, and fire 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, the district shall, as soon as practicable, conduct a security review of the facility to:

- (1) determine whether the facility meets school safety and security requirements as described by commissioner rule; and
- (2) identify security vulnerabilities at the facility in the event of an active shooter incident and describe strategies to mitigate each vulnerability identified.

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

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

Sec. 37.1171. AVAILABILITY OF BREACHING TOOL AND BALLISTIC SHIELD. Each school district and open-enrollment charter school must 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. Section 51.217(b), Education Code, is amended to read as follows:

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

- (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 the Texas Police Chiefs Association to develop the template. The template must include:

- (1) prompts for reporting on the following items:
  - (A) a brief description and outcome of the active shooter incident;
  - (B) a statement of personnel and equipment deployed during the incident;
  - (C) a cost analysis, including salaries, equipment, and incidentals;
  - (D) a copy of appropriate incident logs and reports;
  - (E) any maps, forms, or related documentation used in responding to or evaluating the agency's or provider's response to the incident;
  - (F) a summary of any deaths or injuries that occurred as a result of the incident;
  - (G) any information relating to the status of criminal investigations and subsequent prosecutions arising out of the incident; and
  - (H) a final evaluation, including:
    - (i) conclusions relating to the agency's or provider's response to the incident;
    - (ii) problems encountered during the response regarding personnel, equipment, resources, or multiagency response;
    - (iii) suggestions for revising policy, such as improving training and equipment; and
    - (iv) any additional considerations that would improve the agency's or provider's response to active shooter incidents at primary or secondary school facilities in the future; and

(2) any other content the center considers appropriate.

(c) The center shall 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. In developing the training program, the center:

(1) shall 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) may collaborate with the Texas Division of Emergency Management, the Texas Commission on Law Enforcement, the Department of Public Safety, or the Department of State Health Services.

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

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

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

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

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



(b) 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 Subchapter K, Chapter 418:

- (1) a municipal police department;
- (2) a sheriff's office;
- (3) a county constable's office;
- (4) a school district police department; and
- (5) the department.

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

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

Sec. 418.059. GUIDE ON PREPARING FOR AND RESPONDING TO ACTIVE SHOOTER INCIDENT AT SCHOOL FACILITY. (a) The division, in coordination with the Emergency Management Council, shall 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) The division shall post the guide on the division's Internet website for public use. The guide must provide a comprehensive approach to preparing for and responding to active shooter incidents at primary and secondary school facilities and include information on:

- (1) understanding mass violence incidents and best practices for community engagement related to those incidents;
- (2) incident command structure;
- (3) coordination of and access to resources, including trauma and support services, acute support services, long-term support services, spiritual support services, and family or victim assistance;
- (4) long-term recovery and community resilience;
- (5) communication coordination;
- (6) training and planning resources; and
- (7) preserving and restoring community cohesion and public life after the incident.

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

SECTION 11. Subchapter H, Chapter 418, Government Code, is amended by adding Sections 418.1873 and 418.1877 to read as follows:

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.

(b) The Texas Commission on Law Enforcement by rule shall 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 Advanced Law Enforcement Rapid Response Training Center at Texas State University--San Marcos as required by Section 96.42, Education Code.

(c) The division by rule shall 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 division. The training program must involve reviewing at least one final evaluation and report required by Section 418.1873.

(d) The division, the Texas Commission on Law Enforcement, and the Department of State Health Services may adopt rules to enforce this section.

SECTION 12. Chapter 418, Government Code, is amended by adding Subchapter K to read as follows:

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

Sec. 418.331. DEFINITION. In this subchapter, "public information officer" means an individual who is employed or appointed by a state agency, local government entity, or open-enrollment charter school and whose duties include communicating with the public during a disaster regarding the disaster.

Sec. 418.332. CERTIFICATION AND CONTINUING EDUCATION 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.

7-1 Sec. 418.333. CERTIFICATION AND CONTINUING EDUCATION. (a)  
 7-2 A public information officer described by Sections 411.3735 and  
 7-3 418.332 shall:

7-4 (1) obtain certification from the division in  
 7-5 emergency communications not later than the first anniversary of  
 7-6 the date the public information officer was hired or appointed; and

7-7 (2) complete a continuing education program on  
 7-8 emergency communications approved by the division once during each  
 7-9 12-month period beginning on the date the public information  
 7-10 officer obtained certification.

7-11 (b) The division shall establish minimum education and  
 7-12 training requirements for initial certification and continuing  
 7-13 education under this subchapter. The minimum requirements must  
 7-14 comply with the policies and standards developed by the Texas  
 7-15 Commission on Law Enforcement under Section 1701.163, Occupations  
 7-16 Code. These minimum requirements must include courses on:

7-17 (1) the National Incident Management System;  
 7-18 (2) the Incident Command System; and  
 7-19 (3) the basic skills and principles necessary to  
 7-20 fulfill the role of a public information officer with respect to  
 7-21 emergency communications.

7-22 (c) The division shall assist the entities subject to  
 7-23 Sections 411.3735 and 418.332 in identifying approved training  
 7-24 programs.

7-25 (d) The following courses may be taken to satisfy minimum  
 7-26 education and training requirements under this subchapter:

7-27 (1) a course provided by the Bill Blackwood Law  
 7-28 Enforcement Management Institute of Texas; or

7-29 (2) a course approved by the Texas Commission on Law  
 7-30 Enforcement.

7-31 Sec. 418.334. COMPLIANCE RECORDS; INSPECTION. (a) Each  
 7-32 entity subject to Section 418.332 shall:

7-33 (1) maintain records that demonstrate the compliance  
 7-34 of each public information officer employed or appointed by that  
 7-35 entity with the certification and continuing education  
 7-36 requirements of this subchapter; and

7-37 (2) submit to the division the compliance records  
 7-38 required to be maintained under Subdivision (1).

7-39 (b) The division shall permit inspection and copying by the  
 7-40 department of the compliance records the division maintains under  
 7-41 Subsection (a)(1) during reasonable hours and in a reasonable  
 7-42 manner.

7-43 Sec. 418.335. RULES. The division may adopt rules to  
 7-44 administer this subchapter.

7-45 SECTION 13. Subchapter A, Chapter 772, Government Code, is  
 7-46 amended by adding Sections 772.00791, 772.013, and 772.014 to read  
 7-47 as follows:

7-48 Sec. 772.00791. FIRST RESPONDER AND TELECOMMUNICATOR  
 7-49 ACTIVE ATTACK INTEGRATED RESPONSE TRAINING GRANT PROGRAM. (a) In  
 7-50 this section:

7-51 (1) "Criminal justice division" means the criminal  
 7-52 justice division established under Section 772.006.

7-53 (2) "First responder" has the meaning assigned by  
 7-54 Section 772.013.

7-55 (3) "Telecommunicator" has the meaning assigned by  
 7-56 Section 1701.001, Occupations Code.

7-57 (b) The criminal justice division shall establish and  
 7-58 administer a grant program to provide financial assistance to first  
 7-59 responders and telecommunicators for the purpose of attending an  
 7-60 active attack integrated response training course through the  
 7-61 Advanced Law Enforcement Rapid Response Training Center at Texas  
 7-62 State University--San Marcos or a similar course approved by the  
 7-63 division.

7-64 (c) The criminal justice division shall establish:

7-65 (1) eligibility criteria for grant applicants;

7-66 (2) grant application procedures;

7-67 (3) criteria for evaluating grant applications and  
 7-68 awarding grants;

7-69 (4) guidelines related to grant amounts; and

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

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

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

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

(2) "First responder" means:

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

(B) an individual included as fire protection personnel by Section 419.021; and

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

(b) To prepare for complex responses to and investigations of emergencies that require mutual aid and support from more than one governmental entity, the department shall 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) The department, each sheriff described by Subsection (b), and each governmental entity identified by the sheriff under that subsection shall collectively participate in:

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

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

(d) The department shall 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) In this section, "department" means the Department of Public Safety.

(b) The department and each governmental entity identified by a sheriff under Section 772.013(b) shall 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) In establishing the procedures, the department and local law enforcement agencies shall:

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

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

(3) set jurisdictional boundaries; and

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

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

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

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

(1) school safety;

(2) coordinated law enforcement response to school violence incidents;

(3) law enforcement agency capabilities;

(4) available resources;

(5) emergency radio interoperability;

(6) chain of command planning; ~~[and]~~



(7) 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; and

(8) other related subjects proposed by a person in attendance at the meeting.

(c) In a county with a population of less than 350,000, the following persons shall attend a meeting called under Subsection (a):

(1) the sheriff or the sheriff's designee;

(2) the police chief of a municipal police department in the county or the police chief's designee;

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

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

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

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

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

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

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

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

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

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

(13) any other person the sheriff considers appropriate.

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

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

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

(B) 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. Chapter 391, Local Government Code, is amended by adding Section 391.0041 to read as follows:

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

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

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

(3) "First responder" means:

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

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

(C) an individual included as emergency medical

services personnel by Section 773.003, Health and Safety Code.

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

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

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

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

(1) must identify and provide for:

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

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

(ii) 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) may recommend that an employer of a first responder:

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

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

(3) may 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) Each political subdivision that receives a plan under this section shall:

(1) implement the plan; and

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

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

Sec. 1701.163. MINIMUM STANDARDS FOR LAW ENFORCEMENT AGENCIES. (a) The commission, with input from an advisory committee, shall 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) a determination regarding the public benefit of creating the agency in the community;

(2) the sustainable funding sources for the agency;

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

(A) all standard duty firearms;

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

(C) effective communications equipment;

(D) protective equipment, including a requirement of:

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

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

(E) officer uniforms; and

(F) patrol vehicles and associated equipment;

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

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

(A) use of force;

(B) vehicle pursuit;

(C) professional conduct of officers;

(D) domestic abuse protocols;

(E) response to missing persons;  
 (F) supervision of part-time officers;  
 (G) impartial policing;  
 (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) barricaded subjects;  
 (6) the administrative structure of the agency;  
 (7) liability insurance; and  
 (8) any other standard the commission considers necessary.

(b) A law enforcement agency may 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. Section 1701.253, Occupations Code, is amended by adding Subsection (u) to read as follows:

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

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

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

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

(b) The commission shall 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. Subchapter H, Chapter 1701, Occupations Code, is amended by adding Section 1701.3526 to read as follows:

Sec. 1701.3526. CONTINUING EDUCATION ON INCIDENT RESPONSE AND COMMAND. (a) The commission shall 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), an advanced incident response and command course, in collaboration with the Texas Division of Emergency Management, as determined by commission rule.

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

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

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

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

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

SECTION 24. 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 shall obtain the certification required by Section 418.333, Government Code, as added by this Act, not later than September 1, 2026.

SECTION 25. Not later than January 1, 2026, the Department

of Public Safety and local law enforcement agencies shall enter into mutual aid agreements as required by Section 772.014, Government Code, as added by this Act.

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

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

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

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

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

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