

By: Curry

H.B. No. 1340

A BILL TO BE ENTITLED

AN ACT

relating to certain federal law enforcement agents serving as armed security officers at public schools and the authority of the chief of school safety and security for the Texas Education Agency to carry a weapon on public school grounds.

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

SECTION 1. Section 37.0814(b), Education Code, is amended to read as follows:

(b) A security officer described by Subsection (a) must be:

- (1) a school district peace officer;
- (2) a school resource officer; ~~[or]~~
- (3) a commissioned peace officer employed as security personnel under Section 37.081; or
- (4) a current or former licensed federal law enforcement agent who is authorized to carry a weapon while on duty.

SECTION 2. Subchapter C, Chapter 37, Education Code, is amended by adding Section 37.088 to read as follows:

Sec. 37.088. CHIEF OF SCHOOL SAFETY AND SECURITY. An individual appointed by the governor as chief of school safety and security for the agency may carry a weapon on the grounds of any school district or open-enrollment charter school campus or facility in this state if the individual is a commissioned peace officer or a current or former licensed federal law enforcement agent who is authorized to carry a weapon while on duty.

SECTION 3. Section 46.15, Penal Code, is amended by adding Subsection (s) to read as follows:

(s) Section 46.03(a)(1) does not apply to a person appointed as chief of school safety and security for the Texas Education Agency if the person is:

(1) carrying the weapon on the premises of a public primary or secondary school or on any grounds or building owned by and under the control of the school; and

(2) authorized to carry a weapon under Section 37.088, Education Code.

SECTION 4. Section 46.15, Penal Code, as amended by this Act, applies only to an offense committed on or after the effective date of this Act. An offense committed before the effective date of this Act is governed by the law in effect on the date the offense was committed, and the former law is continued in effect for that purpose. For purposes of this section, an offense was committed before the effective date of this Act if any element of the offense occurred before that date.

SECTION 5. Section 37.0814, Education Code, as amended by this Act, applies beginning with the 2025-2026 school year.

SECTION 6. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2025.