

**House Bill 121**  
Senate Amendments  
Section-by-Section Analysis

HOUSE VERSION

SECTION 1. Article 2A.001, Code of Criminal Procedure, is amended 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 is further amended to read as follows:

Art. 2A.001. PEACE OFFICERS GENERALLY. The following are peace officers:

- (1) a sheriff, a sheriff's deputy, or a reserve deputy sheriff who holds a permanent peace officer license issued under Chapter 1701, Occupations Code;
- (2) a constable, a deputy constable, or a reserve deputy constable who holds a permanent peace officer license issued under Chapter 1701, Occupations Code;
- (3) a marshal or police officer of a municipality or a reserve municipal police officer who holds a permanent peace officer license issued under Chapter 1701, Occupations Code;
- (4) a ranger, officer, or member of the reserve officer corps commissioned by the Public Safety Commission and the director of the Department of Public Safety;
- (5) an investigator of a district attorney's, criminal district attorney's, or county attorney's office;
- (6) a law enforcement agent of the Texas Alcoholic Beverage Commission;
- (7) a member of an arson investigating unit commissioned by a municipality, a county, or the state;
- (8) an officer commissioned under Section 37.081 or 37.0818, Education Code, or Subchapter E, Chapter 51, Education Code;
- (9) an officer commissioned by the Texas Facilities Commission;
- (10) a law enforcement officer commissioned by the Parks

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SECTION 1. Article 2A.001, Code of Criminal Procedure, is amended 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 is further amended to read as follows:

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- (4) a ranger, officer, or member of the reserve officer corps commissioned by the Public Safety Commission and the director of the Department of Public Safety;
- (5) an investigator of a district attorney's, criminal district attorney's, or county attorney's office;
- (6) a law enforcement agent of the Texas Alcoholic Beverage Commission;
- (7) a member of an arson investigating unit commissioned by a municipality, a county, or the state;
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| and Wildlife Commission;<br>(11) an officer commissioned under Chapter 23, Transportation Code;<br>(12) a municipal park and recreational patrol officer or security officer;<br>(13) a security officer or investigator commissioned as a peace officer by the comptroller;<br>(14) an officer commissioned by a water control and improvement district under Section 49.216, Water Code;<br>(15) an officer commissioned by a board of trustees under Chapter 54, Transportation Code;<br>(16) an investigator commissioned by the Texas Medical Board;<br>(17) an officer commissioned by:<br>(A) the board of managers of the Dallas County Hospital District, the Tarrant County Hospital District, the Bexar County Hospital District, or the El Paso County Hospital District under Section 281.057, Health and Safety Code;<br>(B) the board of directors of the Ector County Hospital District under Section 1024.117, Special District Local Laws Code;<br>(C) the board of directors of the Midland County Hospital District of Midland County, Texas, under Section 1061.121, Special District Local Laws Code; or<br>(D) the board of hospital managers of the Lubbock County Hospital District of Lubbock County, Texas, under Section 1053.113, Special District Local Laws Code;<br>(18) a county park ranger commissioned under Subchapter E, Chapter 351, Local Government Code;<br>(19) an investigator employed by the Texas Racing Commission;<br>(20) an officer commissioned under Chapter 554, | and Wildlife Commission;<br>(11) an officer commissioned under Chapter 23, Transportation Code;<br>(12) a municipal park and recreational patrol officer or security officer;<br>(13) a security officer or investigator commissioned as a peace officer by the comptroller;<br>(14) an officer commissioned by a water control and improvement district under Section 49.216, Water Code;<br>(15) an officer commissioned by a board of trustees under Chapter 54, Transportation Code;<br>(16) an investigator commissioned by the Texas Medical Board;<br>(17) an officer commissioned by:<br>(A) the board of managers of the Dallas County Hospital District, the Tarrant County Hospital District, the Bexar County Hospital District, or the El Paso County Hospital District under Section 281.057, Health and Safety Code;<br>(B) the board of directors of the Ector County Hospital District under Section 1024.117, Special District Local Laws Code;<br>(C) the board of directors of the Midland County Hospital District of Midland County, Texas, under Section 1061.121, Special District Local Laws Code; or<br>(D) the board of hospital managers of the Lubbock County Hospital District of Lubbock County, Texas, under Section 1053.113, Special District Local Laws Code;<br>(18) a county park ranger commissioned under Subchapter E, Chapter 351, Local Government Code;<br>(19) an investigator employed by the Texas Racing Commission;<br>(20) an officer commissioned under Chapter 554, |            |

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Occupations Code;

(21) an officer commissioned by the governing body of a metropolitan rapid transit authority under Section 451.108, Transportation Code, or a regional transportation authority under Section 452.110, Transportation Code;

(22) an investigator commissioned by the attorney general under Section 402.009, Government Code;

(23) a security officer or investigator commissioned as a peace officer under Chapter 466, Government Code;

(24) an officer appointed by an appellate court under Subchapter F, Chapter 53, Government Code;

(25) an officer commissioned by the state fire marshal under Chapter 417, Government Code;

(26) an investigator commissioned by the commissioner of insurance under Section 701.104, Insurance Code;

(27) an officer appointed by the inspector general of ~~[apprehension specialist or inspector general commissioned by]~~ the Texas Juvenile Justice Department ~~[as an officer]~~ under Section 242.102 ~~[or 243.052]~~, Human Resources Code;

(28) an officer appointed by the inspector general of the Texas Department of Criminal Justice under Section 493.019, Government Code;

(29) an investigator commissioned by the Texas Commission on Law Enforcement under Section 1701.160, Occupations Code;

(30) a fire marshal or any related officer, inspector, or investigator commissioned by a county under Subchapter B, Chapter 352, Local Government Code;

(31) a fire marshal or any officer, inspector, or investigator commissioned by an emergency services district under Chapter 775, Health and Safety Code;

(32) a fire marshal or any officer, inspector, or investigator of

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Occupations Code;

(21) an officer commissioned by the governing body of a metropolitan rapid transit authority under Section 451.108, Transportation Code, or a regional transportation authority under Section 452.110, Transportation Code;

(22) an investigator commissioned by the attorney general under Section 402.009, Government Code;

(23) a security officer or investigator commissioned as a peace officer under Chapter 466, Government Code;

(24) an officer appointed by an appellate court under Subchapter F, Chapter 53, Government Code;

(25) an officer commissioned by the state fire marshal under Chapter 417, Government Code;

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(28) an officer appointed by the inspector general of the Texas Department of Criminal Justice under Section 493.019, Government Code;

(29) an investigator commissioned by the Texas Commission on Law Enforcement under Section 1701.160, Occupations Code;

(30) a fire marshal or any related officer, inspector, or investigator commissioned by a county under Subchapter B, Chapter 352, Local Government Code;

(31) a fire marshal or any officer, inspector, or investigator commissioned by an emergency services district under Chapter 775, Health and Safety Code;

(32) a fire marshal or any officer, inspector, or investigator of

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a municipality who holds a permanent peace officer license issued under Chapter 1701, Occupations Code;

(33) an officer commissioned by the State Board of Dental Examiners under Section 254.013, Occupations Code, subject to the limitations imposed by that section; [and]

(34) [(33)] an Alamo complex ranger commissioned by the General Land Office under Section 31.0515, Natural Resources Code, subject to the limitations imposed by that section; and

(35) an officer commissioned by the Texas Education Agency as an officer under Section 37.1031, Education Code [investigator commissioned by the Texas Juvenile Justice Department as an officer under Section 221.011, Human Resources Code].

SECTION 2. Section 7.021, Education Code, is amended by adding Subsection (d) to read as follows:

(d) The agency may commission peace officers as provided by Section 37.1031 to enforce Subchapter D, Chapter 37.

SECTION 3. Section 37.0814, Education Code, is amended by amending Subsection (d) and adding Subsection (d-1) to read as follows:

(d) The board of trustees of a school district that claims a good cause exception under Subsection (c) must develop an alternative standard with which the district is able to comply, which may include providing a person to act as a security officer who is:

- (1) a school marshal; or
- (2) a school district employee or a person with whom the

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a municipality who holds a permanent peace officer license issued under Chapter 1701, Occupations Code;

(33) an officer commissioned by the State Board of Dental Examiners under Section 254.013, Occupations Code, subject to the limitations imposed by that section; [and]

(34) [(33)] an Alamo complex ranger commissioned by the General Land Office under Section 31.0515, Natural Resources Code, subject to the limitations imposed by that section; and

(35) an inspector employed by the Texas Education Agency under Section 37.1031, Education Code, subject to the limitations imposed by that section [investigator commissioned by the Texas Juvenile Justice Department as an officer under Section 221.011, Human Resources Code].  
[FA1(1)]

SECTION 2. Section 7.021, Education Code, is amended by adding Subsection (d) to read as follows: [Deleted by FA1(2)]

SECTION 3. Section 37.0814, Education Code, is amended by amending Subsection (d) and adding Subsection (d-1) to read as follows:

(d) The board of trustees of a school district that claims a good cause exception under Subsection (c) must develop an alternative standard with which the district is able to comply, which may include providing a person to act as a security officer who is:

- (1) a school marshal; or
- (2) a school district employee or a person with whom the

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district contracts who:

(A) either:

(i) has completed school safety training provided by a qualified handgun instructor certified in school safety under Section 411.1901, Government Code; or

(ii) not later than the 180th day after the date on which the employee or person begins duties as a security officer, completes training deemed appropriate by the district, in consultation with the district's police department, or, if the district does not have a police department, a local law enforcement agency, in:

(a) active shooter response, which must be provided by an instructor certified by the Advanced Law Enforcement Rapid Response Training Center at Texas State University--San Marcos;

(b) school safety and emergency management;

(c) crisis intervention;

(d) incident command;

(e) first aid administration;

(f) mental health; and

(g) qualifications relating to the carrying or use of a firearm;  
and

(B) carries a handgun on school premises in accordance with written regulations or written authorization of the district under Section 46.03(a)(1)(A), Penal Code.

(d-1) A good cause exception claimed by the board of trustees of a school district under Subsection (c) expires on the first anniversary of the date the exception is claimed. On the expiration of the exception, the board must reevaluate whether the board is able to comply with this section and, if not, renew:

(1) the claim for an exception under Subsection (c); and

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district contracts who:

(A) either:

(i) has completed school safety training provided by a qualified handgun instructor certified in school safety under Section 411.1901, Government Code; or

(ii) not later than the 90th day after the date on which the employee or person begins duties as a security officer, completes training deemed appropriate by the district, in consultation with the district's police department, or, if the district does not have a police department, a local law enforcement agency, in: [FA1(3)]

(a) active shooter response, which must be provided by an instructor certified by the Advanced Law Enforcement Rapid Response Training Center at Texas State University--San Marcos;

(b) school safety and emergency management;

(c) crisis intervention;

(d) incident command;

(e) first aid administration;

(f) mental health; and

(g) qualifications relating to the carrying or use of a firearm;  
and

(B) carries a handgun on school premises in accordance with written regulations or written authorization of the district under Section 46.03(a)(1)(A), Penal Code.

(d-1) A good cause exception claimed by the board of trustees of a school district under Subsection (c) expires on the first anniversary of the date the exception is claimed. On the expiration of the exception, the board must reevaluate whether the board is able to comply with this section and, if not, renew:

(1) the claim for an exception under Subsection (c); and

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(2) the alternative standard developed under Subsection (d).

SECTION 4. Subchapter D, Chapter 37, Education Code, is amended by adding Section 37.1031 to read as follows:

Sec. 37.1031. AGENCY PEACE OFFICERS. (a) The agency may commission as a peace officer to enforce this subchapter an employee who has been certified as qualified to be a peace officer by the Texas Commission on Law Enforcement.

(b) An employee commissioned as a peace officer under this section has the powers, privileges, and immunities of a peace officer while carrying out duties as a peace officer under this subchapter.

SECTION 5. Section 37.108, Education Code, is amended by amending Subsections (a), (c), and (f) and adding Subsection (a-1) 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 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 school district substitute teachers;
- (2) measures to ensure district employees, including school district substitute teachers, have classroom access to a telephone, including a cellular telephone, or another electronic

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(2) the alternative standard developed under Subsection (d).

SECTION 4. Subchapter D, Chapter 37, Education Code, is amended by adding Section 37.1031 to read as follows:

Sec. 37.1031. AGENCY INSPECTORS. The agency may employ inspectors only for the purposes of:

- (1) assisting the agency in monitoring school district safety and security requirements under Section 37.1083; and
- (2) coordinating with local, state, and federal law enforcement during an event requiring an emergency response by a school district. [FA1(4)]

SECTION 5. Section 37.108, Education Code, is amended by amending Subsections (a), (c), and (f) and adding Subsection (a-1) 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, reunification, and recovery 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: [FA2]

- (1) training in responding to an emergency for district employees, including school district substitute teachers;
- (2) measures to ensure district employees, including school district substitute teachers, have classroom access to a telephone, including a cellular telephone, or another electronic

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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;

(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 the Texas Higher Education Coordinating Board.

(a-1) The Texas School Safety Center shall provide to the superintendent of each school district and to the president of each public junior college district notice of the requirements established under Subsection (a)(7) applicable to the district [and relevant local law enforcement agencies].

(c) A school district or public junior college district shall report the results of the safety and security audit conducted under Subsection (b) to the district's board of trustees and, in the manner required by the Texas School Safety Center, to the Texas School Safety Center. The district must maintain a copy of the [The] report [provided to the Texas School Safety Center under this subsection must be] signed by:

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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;

(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 the Texas Higher Education Coordinating Board.

(a-1) The Texas School Safety Center shall provide to the superintendent of each school district and to the president of each public junior college district notice of the requirements established under Subsection (a)(7) applicable to the district [and relevant local law enforcement agencies].

(c) A school district or public junior college district shall report the results of the safety and security audit conducted under Subsection (b) to the district's board of trustees and, in the manner required by the Texas School Safety Center, to the Texas School Safety Center. The district must maintain a copy of the [The] report [provided to the Texas School Safety Center under this subsection must be] signed by:

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- (1) for a school district, the district's board of trustees and superintendent; or
- (2) for a public junior college district, the president of the junior college district.
- (f) A school district shall include in its multihazard emergency operations plan:
  - (1) a chain of command that designates the individual responsible for making final decisions during a disaster or emergency situation and identifies other individuals responsible for making those decisions if the designated person is unavailable;
  - (2) provisions that address physical and psychological safety for responding to a natural disaster, active shooter, and any other dangerous scenario identified for purposes of this section by the agency or the Texas School Safety Center;
  - (3) provisions for ensuring the safety of students in portable buildings;
  - (4) provisions for ensuring that students and district personnel with disabilities are provided equal access to safety during a disaster or emergency situation;
  - (5) provisions for providing immediate notification to parents, guardians, and other persons standing in parental relation in circumstances involving a significant threat to the health or safety of students, including identification of the individual with responsibility for overseeing the notification;
  - (6) provisions for supporting the psychological safety of students, district personnel, and the community during the response and recovery phase following a disaster or emergency situation that:
    - (A) are aligned with best practice-based programs and research-based practices recommended under Section 38.351;
    - (B) include strategies for ensuring any required professional

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- (1) for a school district, the district's board of trustees and superintendent; or
- (2) for a public junior college district, the president of the junior college district.
- (f) A school district shall include in its multihazard emergency operations plan:
  - (1) a chain of command that designates the individual responsible for making final decisions during a disaster or emergency situation and identifies other individuals responsible for making those decisions if the designated person is unavailable;
  - (2) provisions that address physical and psychological safety for responding to a natural disaster, active shooter, and any other dangerous scenario identified for purposes of this section by the agency or the Texas School Safety Center;
  - (3) provisions for ensuring the safety of students in portable buildings;
  - (4) provisions for ensuring that students and district personnel with disabilities are provided equal access to safety during a disaster or emergency situation;
  - (5) provisions for providing immediate notification to parents, guardians, and other persons standing in parental relation in circumstances involving a significant threat to the health or safety of students, including identification of the individual with responsibility for overseeing the notification;
  - (6) provisions for supporting the psychological safety of students, district personnel, and the community during the response and recovery phase following a disaster or emergency situation that:
    - (A) are aligned with best practice-based programs and research-based practices recommended under Section 38.351;
    - (B) include strategies for ensuring any required professional

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development training for suicide prevention and grief-informed and trauma-informed care is provided to appropriate school personnel;

(C) include training on integrating psychological safety and suicide prevention strategies into the district's plan, such as psychological first aid for schools training, from an approved list of recommended training established by the commissioner and Texas School Safety Center for:

(i) members of the district's school safety and security committee under Section 37.109;

(ii) district school counselors and mental health professionals; and

(iii) educators and other district personnel as determined by the district;

(D) include strategies and procedures for integrating and supporting physical and psychological safety that align with the provisions described by Subdivision (2); and

(E) implement trauma-informed policies;

(7) a policy for providing a substitute teacher access to school campus buildings and materials necessary for the substitute teacher to carry out the duties of a district employee during an emergency or a mandatory emergency drill;

(8) provisions, as determined by the agency, for ensuring the safety of students, staff, and spectators during extracurricular activities sponsored or sanctioned by the district;

(9) the name of each individual on the district's school safety and security committee established under Section 37.109 and the date of each committee meeting during the preceding year; and

(10) ~~[(9)]~~ certification that the district is in compliance with Section 37.117, as added by Chapter 896 (H.B. 3), Acts of the 88th Legislature, Regular Session, 2023.

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development training for suicide prevention and grief-informed and trauma-informed care is provided to appropriate school personnel;

(C) include training on integrating psychological safety and suicide prevention strategies into the district's plan, such as psychological first aid for schools training, from an approved list of recommended training established by the commissioner and Texas School Safety Center for:

(i) members of the district's school safety and security committee under Section 37.109;

(ii) district school counselors and mental health professionals; and

(iii) educators and other district personnel as determined by the district;

(D) include strategies and procedures for integrating and supporting physical and psychological safety that align with the provisions described by Subdivision (2); and

(E) implement trauma-informed policies;

(7) a policy for providing a substitute teacher access to school campus buildings and materials necessary for the substitute teacher to carry out the duties of a district employee during an emergency or a mandatory emergency drill;

(8) provisions, as determined by the agency, for ensuring the safety of students, staff, and spectators during extracurricular activities sponsored or sanctioned by the district;

(9) the name of each individual on the district's school safety and security committee established under Section 37.109 and the date of each committee meeting during the preceding year; and

(10) ~~[(9)]~~ certification that the district is in compliance with Section 37.117, as added by Chapter 896 (H.B. 3), Acts of the 88th Legislature, Regular Session, 2023.

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No equivalent provision.

SECTION \_\_. 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) school district multihazard emergency operations plans; ~~[and]~~

(2) school district safety and security audits; and

(3) the response and use of emergency operations procedures by a school district during an event requiring an emergency response by the district. [FA1(9)]

SECTION 6. Subchapter D, Chapter 37, Education Code, is amended by adding Section 37.1088 to read as follows:

Sec. 37.1088. AGENCY REPORT ON SCHOOL SAFETY.

(a) Not later than December 31 of each year, the agency shall prepare and submit to the governor, the lieutenant governor, the speaker of the house of representatives, and each standing committee of each house of the legislature with primary jurisdiction over primary and secondary education, finance, and appropriations a report that includes the deidentified results of the vulnerability assessments and intruder detection audits conducted under Sections 37.1083 and 37.1084 during the preceding year.

(b) The report under Subsection (a) must include recommendations and possible corrective actions for specific deficiencies in campus security identified at multiple school districts and open-enrollment charter schools.

SECTION 6. Same as House version.

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| <p>SECTION 7. Section 37.115, Education Code, is amended by adding Subsection (d-1) and amending Subsection (h) to read as follows:</p> <p><u>(d-1) Notwithstanding Subsection (d), if a student in a special education program under Subchapter A, Chapter 29, is the subject of a threat assessment under Subsection (f), the team conducting the threat assessment must include at least one of the following persons who has specific knowledge of the student's disability and the disability's manifestations:</u></p> <p><u>(1) a special education teacher who provides instruction to the student;</u></p> <p><u>(2) a behavior analyst licensed under Chapter 506, Occupations Code;</u></p> <p><u>(3) a clinical or master social worker licensed under Chapter 505, Occupations Code; or</u></p> <p><u>(4) a specialist in school psychology licensed under Chapter 501, Occupations Code.</u></p> <p>(h) On a determination that a student or other individual poses a serious risk of violence to self or others, a team shall immediately report the team's determination to the superintendent <del>and, if</del><u>—If</u> the individual is a student, <del>[the superintendent shall]</del> immediately attempt to inform the parent or person standing in parental relation to the student. The requirements of this subsection do not prevent an employee of the school from acting immediately to prevent an imminent threat or respond to an emergency.</p> <p>No equivalent provision.</p> | <p>SECTION 7. Same as House version.</p> <p>SECTION __. Section 37.117, Education Code, as added by Chapter 896 (H.B. 3), Acts of the 88th Legislature, Regular Session, 2023, is amended to read as follows:</p> <p>Sec. 37.117. EMERGENCY RESPONSE MAP AND</p> |            |

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WALK-THROUGH. (a) Each school district and open-enrollment charter school shall provide to the Department of Public Safety and all appropriate local law enforcement agencies and emergency first responders:

(1) an accurate map of each district campus and school building that is developed and documented in accordance with the standards described by Section 37.351 related to developing site and floor plans, access control, and exterior door numbering; and

(2) an opportunity to conduct a walk-through of each district campus and school building using the map described by Subdivision (1).

(b) Each school district and open-enrollment charter school shall provide the map described by Subsection (a)(1) to each emergency services district located in whole or in part within the school district or geographic area served by the open-enrollment charter school. [FA1(9)]

SECTION 8. Sections 37.203(a) and (b), Education Code, are amended to read as follows:

(a) The center is advised by a board of directors composed of:

(1) the attorney general, or the attorney general's designee;

(2) the commissioner, or the commissioner's designee;

(3) the executive director of the Texas Juvenile Justice Department, or the executive director's designee;

(4) the commissioner of the Department of State Health Services, or the commissioner's designee;

(5) the commissioner of higher education, or the commissioner's designee; and

(6) the following members appointed by the governor with the advice and consent of the senate:

SECTION 8. Sections 37.203(a) and (b), Education Code, are amended to read as follows:

(a) The center is advised by a board of directors composed of:

(1) the attorney general, or the attorney general's designee;

(2) the commissioner, or the commissioner's designee;

(3) the executive director of the Texas Juvenile Justice Department, or the executive director's designee;

(4) the commissioner of the Department of State Health Services, or the commissioner's designee;

(5) the commissioner of higher education, or the commissioner's designee; and

(6) the following members appointed by the governor with the advice and consent of the senate:

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| <p>(A) a juvenile court judge;</p> <p>(B) a member of a school district's board of trustees;</p> <p>(C) an administrator of a public primary school;</p> <p>(D) an administrator of a public secondary school;</p> <p>(E) a member of the state parent-teacher association;</p> <p>(F) a teacher from a public primary or secondary school;</p> <p>(G) a public school superintendent who is a member of the Texas Association of School Administrators;</p> <p>(H) a school district police officer or a peace officer whose primary duty consists of working in a public school;</p> <p>(I) a professional architect who is registered in this state and a member of the Texas Society of Architects;</p> <p>(J) <u>an administrator of a public junior college</u>; and</p> <p><del>(K) [(J)]</del> <b>three</b> members of the public.</p> <p>(b) Members of the board appointed under Subsection (a)(6) serve staggered two-year terms, with the terms of the members described by Subsections (a)(6)(A)-(F) expiring on February 1 of each odd-numbered year and the terms of the members described by Subsections (a)(6)(G)-<del>(K)</del> <del>[(J)]</del> expiring on February 1 of each even-numbered year. A member may serve more than one term.</p> <p>SECTION 9. Section 37.222(b), Education Code, is amended to read as follows:</p> <p>(b) <u>At least three times each school year, each</u> <del>[Each]</del> school district and open-enrollment charter school shall provide the information and other resources described under Subsection (a) to the parent or guardian of each student enrolled in the district or school.</p> | <p>(A) a juvenile court judge;</p> <p>(B) a member of a school district's board of trustees;</p> <p>(C) an administrator of a public primary school;</p> <p>(D) an administrator of a public secondary school;</p> <p>(E) a member of the state parent-teacher association;</p> <p>(F) a teacher from a public primary or secondary school;</p> <p>(G) a public school superintendent who is a member of the Texas Association of School Administrators;</p> <p>(H) a school district police officer or a peace officer whose primary duty consists of working in a public school;</p> <p>(I) a professional architect who is registered in this state and a member of the Texas Society of Architects;</p> <p>(J) <u>an administrator of a public junior college</u>; and</p> <p><del>(K) two</del> <del>[(J)-three]</del> members of the public. [FA1(5)]</p> <p>(b) Members of the board appointed under Subsection (a)(6) serve staggered two-year terms, with the terms of the members described by Subsections (a)(6)(A)-(F) expiring on February 1 of each odd-numbered year and the terms of the members described by Subsections (a)(6)(G)-<del>(K)</del> <del>[(J)]</del> expiring on February 1 of each even-numbered year. A member may serve more than one term.</p> <p>SECTION 9. Same as House version.</p> |            |

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| <p>SECTION 10. Section 37.353, Education Code, is amended by adding Subsection (c) to read as follows:</p> <p><u>(c) A good cause exception claimed by a school district under Subsection (a) expires on the fifth anniversary of the date on which the exception is claimed. On the expiration of the exception, the district must reevaluate whether the district is able to comply with each school facility standard related to safety and security, and if not, renew:</u></p> <p><u>(1) the claim for an exception under Subsection (a); and</u></p> <p><u>(2) the alternative performance standard developed under Subsection (b).</u></p>   | <p>SECTION 10. Same as House version.</p>  |            |
| <p>SECTION 11. Section 38.004(a), Education Code, is amended to read as follows:</p> <p><u>(a) The agency shall develop a policy governing the reports of child abuse or neglect, including reports related to the trafficking of a child under Section 20A.02(a)(5), (6), (7), or (8), Penal Code, as required by Chapter 261, Family Code, for school districts, open-enrollment charter schools, and their employees. The policy must provide for cooperation with law enforcement child abuse investigations without the consent of the child's parents if necessary, including investigations by the Department of Family and Protective Services. The policy must require each school district and open-enrollment charter school employee to report child abuse or neglect, including the trafficking of a child under Section 20A.02(a)(5) or (7), Penal Code, in the manner required by Chapter 261, Family Code, except that a school district or open-enrollment charter school employee must make the report to both the Department of Family and Protective Services and a local or state law enforcement agency, other than the district's or school's police</u></p> | <p>SECTION 11. Section 38.004(a), Education Code, is amended to read as follows: [Deleted by FA1(6)]</p> |            |

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department, if the report is based on evidence that a person engaged in misconduct described by Section 22.093(c)(1)(A) or (B). Each school district and open-enrollment charter school shall adopt the policy.

SECTION 12. Section 48.115(b), Education Code, is amended to read as follows:

(b) Funds allocated under this section must be used to improve school safety and security, including costs associated with:

(1) securing school facilities in accordance with the requirements of Section 37.351, including:

- (A) improvements to school infrastructure;
- (B) the use or installation of perimeter security fencing conducive to a public school learning environment or physical barriers, which may not include razor wire;
- (C) interior and exterior door and window safety and security upgrades, including exterior door numbering and locking systems and security film that provides resistance to a forced entry; and

- (D) the purchase and maintenance of:
  - (i) security cameras and, if the district has already installed security cameras, other security equipment, including video surveillance as provided by Section 29.022; and
  - (ii) technology, including communications systems or devices, such as silent panic alert devices, two-way radios, or wireless Internet booster equipment, that facilitates communication and information sharing between students, school personnel, and first responders in an emergency;

SECTION 12. Section 48.115(b), Education Code, is amended to read as follows:

(b) Funds allocated under this section must be used to improve school safety and security, including costs associated with:

(1) securing school facilities in accordance with the requirements of Section 37.351, including:

- (A) improvements to school infrastructure;
- (B) the use or installation of perimeter security fencing conducive to a public school learning environment or physical barriers, which may not include razor wire;
- (C) interior and exterior door and window safety and security upgrades, including:
  - (i) exterior door numbering;
  - (ii) primary and secondary locking systems; and
  - (iii) security film that provides resistance to a forced entry; and [FA1(7)]

- (D) the purchase and maintenance of:
  - (i) security cameras and, if the district has already installed security cameras, other security equipment, including video surveillance as provided by Section 29.022; and
  - (ii) technology, including communications systems or devices, such as silent panic alert devices, two-way radios, or wireless Internet booster equipment, that facilitates communication and information sharing between students, school personnel, and first responders in an emergency;

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- (2) providing security for the district, including:
  - (A) employing school district peace officers, private security officers, and school marshals; and
  - (B) collaborating with local law enforcement agencies, such as entering into a memorandum of understanding for the assignment of school resource officers to schools in the district;
- (3) school safety and security measures, including:
  - (A) active shooter and emergency response training;
  - (B) prevention and treatment programs relating to addressing adverse childhood experiences; and
  - (C) the prevention, identification, and management of emergencies and threats, using evidence-based, effective prevention practices and including:
    - (i) providing licensed counselors, social workers, behavioral interventionists, chaplains, and individuals trained in restorative discipline and [~~restorative~~] justice or other discipline management practices;
    - (ii) providing mental health personnel and support, including chaplains;
    - (iii) providing behavioral health services, including services provided by chaplains;
    - (iv) establishing threat reporting systems; and
    - (v) developing and implementing programs focused on restorative justice practices, culturally relevant instruction, and providing mental health support, including support provided by chaplains;
- (4) providing programs related to suicide prevention, intervention, and postvention, including programs provided by chaplains; and
- (5) employing a school safety director and other personnel to manage and monitor school safety initiatives and the

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- (2) providing security for the district, including:
  - (A) employing school district peace officers, private security officers, and school marshals; and
  - (B) collaborating with local law enforcement agencies, such as entering into a memorandum of understanding for the assignment of school resource officers to schools in the district;
- (3) school safety and security measures, including:
  - (A) active shooter and emergency response training;
  - (B) prevention and treatment programs relating to addressing adverse childhood experiences; and
  - (C) the prevention, identification, and management of emergencies and threats, using evidence-based, effective prevention practices and including:
    - (i) providing licensed counselors, social workers, behavioral interventionists, chaplains, and individuals trained in restorative discipline and [~~restorative~~] justice or other discipline management practices;
    - (ii) providing mental health personnel and support, including chaplains;
    - (iii) providing behavioral health services, including services provided by chaplains;
    - (iv) establishing threat reporting systems; and
    - (v) developing and implementing programs focused on restorative justice practices, culturally relevant instruction, and providing mental health support, including support provided by chaplains;
- (4) providing programs related to suicide prevention, intervention, and postvention, including programs provided by chaplains; and
- (5) employing a school safety director and other personnel to manage and monitor school safety initiatives and the

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implementation of school safety requirements for the district.

implementation of school safety requirements for the district.

SECTION 13. Section 261.103, Family Code, is amended by amending Subsection (a) and adding Subsection (d) to read as follows:

(a) Except as otherwise provided by this section [~~Subsections (b) and (e)~~] and Section 261.405, a report shall be made to:

- (1) any local or state law enforcement agency;
- (2) the department; or
- (3) the state agency that operates, licenses, certifies, or registers the facility in which the alleged abuse or neglect occurred.

(d) Notwithstanding any other provision of this section, an employee of a school district or open-enrollment charter school who is required to make a report of child abuse or neglect that is based on evidence that a person engaged in misconduct described by Section 22.093(c)(1)(A) or (B), Education Code, must make the report to both the department and a local or state law enforcement agency other than the district's or school's police department.

SECTION 13. Section 261.103, Family Code, is amended by amending Subsection (a) and adding Subsection (d) to read as follows: [Deleted by FA1(8)]

SECTION 14. Sections 85.024(a) and (b), Local Government Code, are amended to read as follows:

(a) The sheriff of a county with a total population of less than 350,000 in which a school district or open-enrollment charter [public] school is located shall call and conduct a meeting at least twice each calendar year, not less than three months apart, [semiannual meetings] to discuss:

- (1) school safety;
- (2) coordinated law enforcement response to school violence

SECTION 14. Same as House version.

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| incidents;<br>(3) law enforcement agency capabilities;<br>(4) available resources;<br>(5) emergency radio interoperability;<br>(6) chain of command planning; and<br>(7) other related subjects proposed by a person in attendance at the meeting.<br>(b) The sheriff of a county to which this section applies in which more than one <u>school district or open-enrollment charter [public] school is located</u> <u>may discuss school safety policies for more than</u> <del>[is only required to hold]</del> <u>one school district or open-enrollment charter school in a</u> <del>[semiannual]</del> meeting described by Subsection (a). This subsection does not require <u>districts or schools</u> <del>[public schools]</del> located within the same county to adopt the same school safety policies. |                                    |            |
| SECTION 15. Section 37.2161, Education Code, is repealed.  | SECTION 15. Same as House version. |            |
| SECTION 16. This Act applies beginning with the 2025-2026 school year.   | SECTION 16. Same as House version. |            |
| SECTION 17. Not later than February 1, 2026, the governor shall appoint the new member to the board of directors of the Texas School Safety Center as required by Section 37.203(a)(6)(J), Education Code, as amended by this Act.   | SECTION 17. Same as House version. |            |
| SECTION 18. To the extent of any conflict, this Act prevails   | SECTION 18. Same as House version. |            |

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over another Act of the 89th Legislature, Regular Session, 2025, relating to nonsubstantive additions to and corrections in enacted codes.

SECTION 19. 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.

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SECTION 19. Same as House version.

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