

CONFERENCE COMMITTEE REPORT FORM

Austin, Texas

5/18/23

Date

Honorable Dan Patrick
President of the Senate

Honorable Dade Phelan
Speaker of the House of Representatives

Sirs:

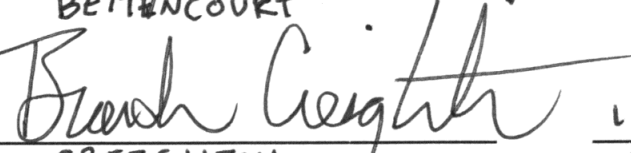
We, Your Conference Committee, appointed to adjust the differences between the Senate and the House of Representatives on SB 763 have had the same under consideration, and beg to report it back with the recommendation that it do pass in the form and text hereto attached.


MIDDLETON



HEFNER


BETTENCOURT


HARRIS, CODY


CREIGHTON


MORALES, EDDIE


KING

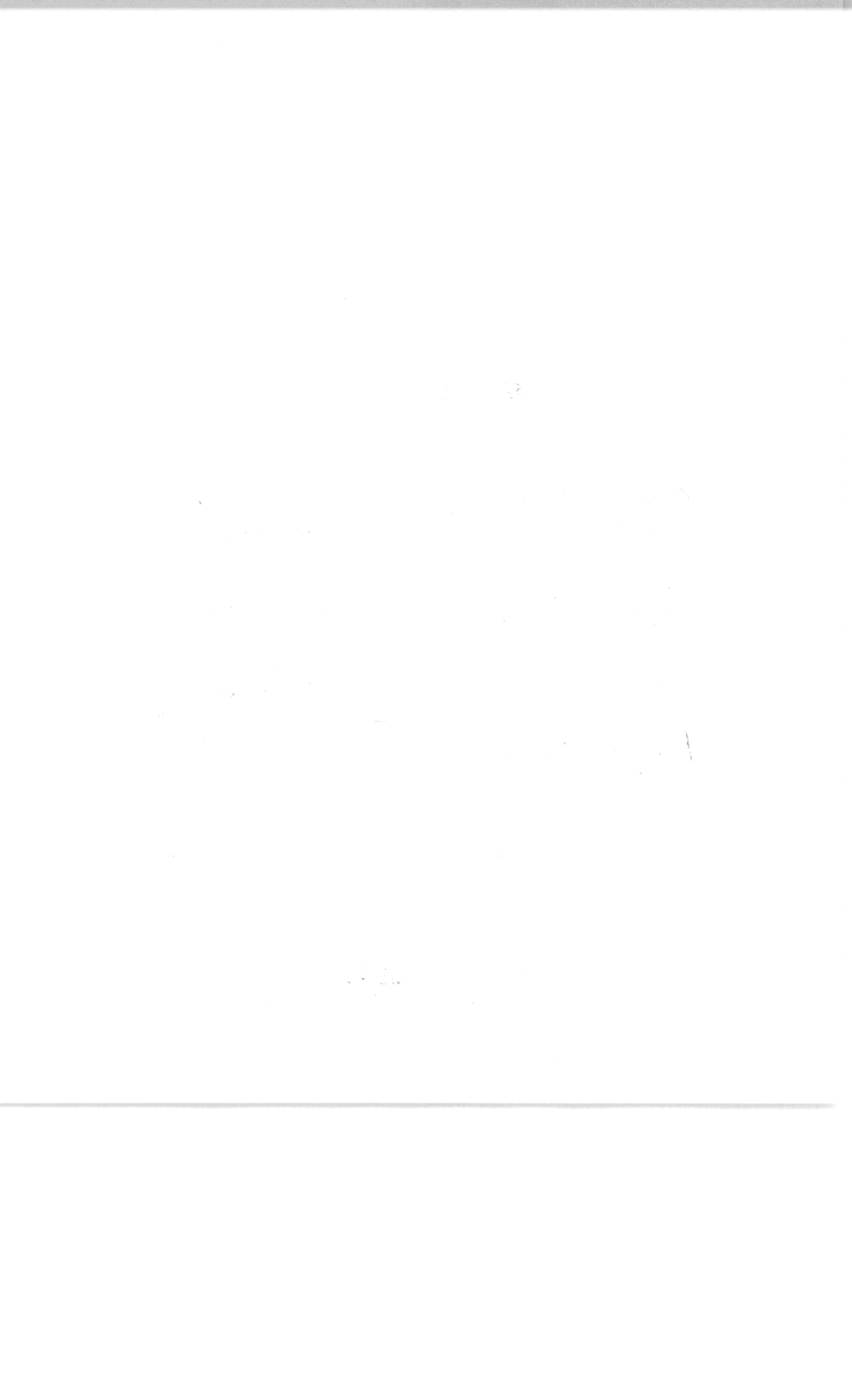

SHINE


On the part of the Senate PAXTON

On the part of the House TALARICO

Note to Conference Committee Clerk:

Please type the names of the members of the Conference Committee under the lines provided for signature. Those members desiring to sign the report should sign each of the six copies. Attach a copy of the Conference Committee Report and a Section by Section side by side comparison to each of the six reporting forms. The original and two copies are filed in house of origin of the bill, and three copies in the other house.



CONFERENCE COMMITTEE REPORT

3rd Printing

S.B. No. 763

A BILL TO BE ENTITLED

1 AN ACT

2 relating to allowing public schools to employ or accept as
3 volunteers chaplains.

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

5 SECTION 1. Subtitle D, Title 2, Education Code, is amended
6 by adding Chapter 23 to read as follows:

7 CHAPTER 23. SCHOOL CHAPLAINS

8 Sec. 23.001. SCHOOL CHAPLAINS. (a) A school district or
9 open-enrollment charter school may employ or accept as a volunteer
10 a chaplain to provide support, services, and programs for students
11 as assigned by the board of trustees of the district or the
12 governing body of the school. A chaplain employed or volunteering
13 under this chapter is not required to be certified by the State
14 Board for Educator Certification.

15 (b) A school district or open-enrollment charter school
16 that employs or accepts as a volunteer a chaplain under this chapter
17 shall ensure that the chaplain complies with the applicable
18 requirements under Subchapter C, Chapter 22, before the chaplain
19 begins employment or volunteering at the district or school.

20 (c) A school district or open-enrollment charter school may
21 not employ or accept as a volunteer a chaplain who has been
22 convicted of or placed on deferred adjudication community
23 supervision for an offense for which a defendant is required to
24 register as a sex offender under Chapter 62, Code of Criminal

1 Procedure.

2 SECTION 2. Section 48.115(b), Education Code, is amended to
3 read as follows:

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

7 (1) securing school facilities, including:

8 (A) improvements to school infrastructure;

9 (B) the use or installation of physical barriers;

10 and

11 (C) the purchase and maintenance of:

12 (i) security cameras or other security
13 equipment; and

14 (ii) technology, including communications
15 systems or devices, that facilitates communication and information
16 sharing between students, school personnel, and first responders in
17 an emergency;

18 (2) providing security for the district, including:

19 (A) employing school district peace officers,
20 private security officers, and school marshals; and

21 (B) collaborating with local law enforcement
22 agencies, such as entering into a memorandum of understanding for
23 the assignment of school resource officers to schools in the
24 district;

25 (3) school safety and security training and planning,
26 including:

27 (A) active shooter and emergency response

1 training;

2 (B) prevention and treatment programs relating
3 to addressing adverse childhood experiences; and

4 (C) the prevention, identification, and
5 management of emergencies and threats, using evidence-based,
6 effective prevention practices and including:

7 (i) providing licensed counselors, social
8 workers, chaplains, and individuals trained in restorative
9 discipline and restorative justice practices;

10 (ii) providing mental health personnel and
11 support, including chaplains;

12 (iii) providing behavioral health
13 services, including services provided by chaplains;

14 (iv) establishing threat reporting
15 systems; and

16 (v) developing and implementing programs
17 focused on restorative justice practices, culturally relevant
18 instruction, and providing mental health support, including
19 support provided by chaplains; and

20 (4) providing programs related to suicide prevention,
21 intervention, and postvention, including programs provided by
22 chaplains.

23 SECTION 3. Each board of trustees of a school district and
24 each governing body of an open-enrollment charter school shall take
25 a record vote not later than six months after the effective date of
26 this Act on whether to adopt a policy authorizing a campus of the
27 district or school to employ or accept as a volunteer a chaplain

1 under Chapter 23, Education Code, as added by this Act.

2 SECTION 4. This Act applies beginning with the 2023-2024
3 school year.

4 SECTION 5. This Act takes effect immediately if it receives
5 a vote of two-thirds of all the members elected to each house, as
6 provided by Section 39, Article III, Texas Constitution. If this
7 Act does not receive the vote necessary for immediate effect, this
8 Act takes effect September 1, 2023.

Senate Bill 763
Conference Committee Report
Section-by-Section Analysis

SENATE VERSION

SECTION 1. Subtitle D, Title 2, Education Code, is amended by adding Chapter 23 to read as follows:

CHAPTER 23. SCHOOL CHAPLAINS

No equivalent provision.

Sec. 23.001. SCHOOL CHAPLAINS.

A school district or an open-enrollment charter school may employ or accept as a volunteer a chaplain to provide support, services, and programs for students as assigned by the board of trustees of the district or the governing body of the school. A chaplain employed or volunteering under this chapter is not required to be certified by the State Board for Educator Certification.

No equivalent provision.

No equivalent provision.

HOUSE VERSION (IE)

SECTION 1. Subtitle D, Title 2, Education Code, is amended by adding Chapter 23 to read as follows:

CHAPTER 23. SCHOOL CHAPLAINS

Sec. 23.001. DEFINITION. In this chapter, "chaplain" means a person who is endorsed by an organization recognized by the United States Department of Defense, the Federal Bureau of Prisons, or the Texas Department of Criminal Justice to endorse chaplains. [FA1(1)]

Sec. 23.002. SCHOOL CHAPLAINS.

(a) Same as Senate version. [FA1(2)][FA5(1)]

(b) A school district that employs a chaplain or *engages* a chaplain as a volunteer under this chapter, must ensure the chaplain complies with the *provisions of 22.0833* prior to commencement of employment or volunteering. [FA7]

() A school district or open-enrollment charter school may not employ or accept as a volunteer a chaplain who has been convicted of or placed on deferred adjudication community supervision for an offense for which a defendant is required

CONFERENCE

SECTION 1. Same as House version except as follows:

CHAPTER 23. SCHOOL CHAPLAINS

Same as Senate version.

Sec. 23.001. SCHOOL CHAPLAINS.

(a) Substantially the same as Senate version.

(b) A school district *or open-enrollment charter school* that employs or *accepts as* a volunteer a chaplain under this chapter shall ensure that the chaplain complies with the *applicable requirements under Subchapter C, Chapter 22*, before the chaplain begins employment or volunteering *at the district or school*.

(c) Same as House version.

Senate Bill 763
Conference Committee Report
Section-by-Section Analysis

SENATE VERSION

HOUSE VERSION (IE)

CONFERENCE

to register as a sex offender under Chapter 62, Code of Criminal Procedure. [FA5(2)]

SECTION 2. Section 48.115(b), Education Code, is amended.

SECTION 2. Same as Senate version.

SECTION 2. Same as Senate version.

SECTION 3. Each board of trustees of a school district and each governing body of an open-enrollment charter school shall take a record vote not later than six months after the effective date of this Act on whether to adopt a policy authorizing a campus of the district or school to employ or accept as a volunteer a chaplain under Chapter 23, Education Code, as added by this Act.

SECTION 3. Same as Senate version.

SECTION 3. Same as Senate version.

SECTION 4. This Act applies beginning with the 2023-2024 school year.

SECTION 4. Same as Senate version.

SECTION 4. Same as Senate version.

SECTION 5. 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, 2023.

SECTION 5. Same as Senate version.

SECTION 5. Same as Senate version.

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 88TH LEGISLATIVE REGULAR SESSION

May 19, 2023

TO: Honorable Dan Patrick, Lieutenant Governor, Senate
Honorable Dade Phelan, Speaker of the House, House of Representatives

FROM: Jerry McGinty, Director, Legislative Budget Board

IN RE: SB763 by Middleton (Relating to allowing public schools to employ or accept as volunteers chaplains.), **Conference Committee Report**

No significant fiscal implication to the State is anticipated.

It is assumed that any costs associated with the bill could be absorbed using existing resources.

Local Government Impact

It is assumed some districts would incur costs related to implementation of the bill if they choose to employ a chaplain in lieu of a school counselor.

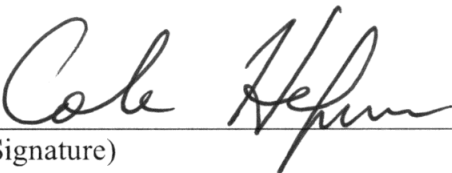
Source Agencies: 701 Texas Education Agency

LBB Staff: JMc, CMA, SD, KSk, ENA, SL

**Certification of Compliance with
Rule 13, Section 6(b), House Rules of Procedure**

Rule 13, Section 6(b), House Rules of Procedure, requires that a copy of a conference committee report signed by a majority of each committee of the conference be furnished to each member of the committee in person or, if unable to deliver in person, by placing a copy in the member's newspaper mailbox at least one hour before the report is furnished to each member of the house under Rule 13, Section 10(a). The paper copies of the report submitted to the chief clerk under Rule 13, Section 10(b), must contain a certificate that the requirement of Rule 13, Section 6(b), has been satisfied, and that certificate must be attached to the copy of the report furnished to each member under Rule 13, Section 10(d). Failure to comply with this requirement is not a sustainable point of order.

I certify that a copy of the conference committee report on SB 763 was furnished to each member of the conference committee in compliance with Rule 13, Section 6(b), House Rules of Procedure, before paper copies of the report were submitted to the chief clerk under Rule 13, Section 10(b), House Rules of Procedure.



(Signature)

5-19-23

(Date)