

BILL ANALYSIS

C.S.H.B. 257
By: Blanco
Homeland Security & Public Safety
Committee Report (Substituted)

BACKGROUND AND PURPOSE

It has been suggested that there is a gap in communication between schools and local law enforcement concerning the identification of certain school employees authorized to carry a handgun for security purposes. C.S.H.B. 257 seeks to provide for better communication and coordination with law enforcement through the adoption of policies that would require public school districts and open-enrollment charter schools to provide local law enforcement agencies with information regarding individuals authorized to carry a handgun on campus.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

C.S.H.B. 257 amends the Education Code to require the board of trustees of a public school district or the governing body of an open-enrollment charter school that authorizes an individual, other than a school marshal or certain school district peace officers, to carry a handgun for security purposes under written regulations or written authorization of the district or school and requires that individual to complete school safety training and instruction by a qualified handgun instructor certified in school safety by the Department of Public Safety to adopt a policy regarding communication and coordination with local law enforcement agencies. The bill requires the policy to require the district or charter school to provide the following information to each law enforcement agency that has jurisdiction over the district or school and to update the information as necessary:

- a list of each campus at which an applicable individual is authorized to carry a handgun;
- the identity of each such individual; and
- the campus where that individual is regularly employed.

C.S.H.B. 257 makes confidential information provided to a law enforcement agency under the policy regarding the identity or place of employment of an applicable individual, restricts the use of such information by a law enforcement agency to law enforcement purposes, and exempts the information from a request under state public information law.

EFFECTIVE DATE

September 1, 2019.

COMPARISON OF ORIGINAL AND SUBSTITUTE

While C.S.H.B. 257 may differ from the original in minor or nonsubstantive ways, the following summarizes the substantial differences between the introduced and committee substitute versions of the bill.

The substitute does not include provisions subjecting the governing body of a private school or a public junior college to the requirement for an applicable board of trustees or governing body to adopt a policy regarding communication and coordination with local law enforcement agencies.

The substitute includes a provision establishing that the bill does not apply with respect to an individual appointed as a school marshal and a commissioned peace officer employed as security personnel and authorized to carry a handgun by the board of trustees of a district. The substitute does not include provisions establishing that the identity of a school marshal appointed by the board of trustees of a public school district or the governing body of a charter school, private school, or governing board of a public junior college is confidential and not subject to request under state public information law.