

BILL ANALYSIS

Senate Research Center

S.B. 17
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Education
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As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

S.B. 17 allows for two employees of a district or an open-enrollment charter school without security personnel to participate in a school safety training program under the Department of Public Safety of the State of Texas and the Advanced Law Enforcement Rapid Response Training Center with no charge. Currently under Section 46.03(a)(1) (relating to providing that a person commits an offense if the person brings certain weapons to a school without authorization) of the Penal Code, a school board or governing body of an open-enrollment charter school may authorize certain employees to carry a concealed weapon on campuses. S.B. 17 provides for safety training for at least two authorized employees at schools without any security personnel.

As proposed, S.B. 17 amends current law relating to the training in school safety of certain employees of a school district or an open-enrollment charter school authorized to carry a concealed handgun on school premises.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Chapter 37, Education Code, by adding Subchapter J, as follows:

SUBCHAPTER J. SAFETY TRAINING FOR CERTAIN EMPLOYEES

Sec. 37.314. DEPARTMENT OF PUBLIC SAFETY TRAINING PROGRAM FOR DISTRICT OR OPEN-ENROLLMENT CHARTER SCHOOL EMPLOYEES LICENSED TO CARRY A CONCEALED HANDGUN. (a) Requires the Department of Public Safety of the State of Texas (DPS) to establish and maintain a training program in school safety and the protection of students for employees of a school district or an open-enrollment charter school who hold a license to carry a concealed handgun issued under Subchapter H (License to Carry a Concealed Handgun), Chapter 411, Government Code, and who are authorized to carry a concealed handgun under Section 46.03(a)(1) (relating to providing that a person commits an offense if the person brings certain weapons to a school without authorization), Penal Code, and who are selected by the board of trustees of a school district or the governing body of an open-enrollment charter school to attend the training program.

(b) Requires DPS, each school year, to provide the training program under Subsection (a) at no charge for two employees at a school campus that does not have security personnel or a commissioned peace officer assigned full-time to the school campus.

(c) Authorizes DPS to provide the training program under Subsection (a) to school employees in addition to those attending the training under Subsection (b) on payment of a fee by the school district or open-enrollment charter school employing the employee.

(d) Provides that this subchapter does not waive any liability or immunity of a school district or an open-enrollment charter school or DPS or of an officer or employee of the district or charter school or DPS. Provides that this section does not create any liability for or a cause of action against a school district or an open-enrollment charter school or DPS or an officer or employee of the district or charter school or DPS.

SECTION 2. Provides that DPS is required to implement Section 37.314, Education Code, as added by this Act, only if the legislature appropriates money specifically for that purpose. Authorizes, but does not require, DPS, if the legislature does not appropriate money specifically for that purpose, to implement Section 37.314, Education Code, as added by this Act, using other appropriations available for that purpose.

SECTION 3. Provides that this Act applies beginning with the 2013-2014 school year.

SECTION 4. Effective date: September 1, 2013.