

**SENATE AMENDMENTS**  
**2<sup>nd</sup> Printing**

By: McLaughlin, Guillen, Moody, Leo Wilson, H.B. No. 33  
Louderback, et al.

A BILL TO BE ENTITLED

1 AN ACT  
2 relating to active shooter incidents at primary and secondary  
3 school facilities and other emergencies, including certain  
4 accreditations of law enforcement agencies that respond to such  
5 emergencies.

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

7 SECTION 1. This Act may be cited as the Uvalde Strong Act.

8 SECTION 2. Section 12.104(b), Education Code, is amended to  
9 read as follows:

10 (b) An open-enrollment charter school is subject to:

11 (1) a provision of this title establishing a criminal  
12 offense;

13 (2) the provisions in Chapter 554, Government Code;  
14 and

15 (3) a prohibition, restriction, or requirement, as  
16 applicable, imposed by this title or a rule adopted under this  
17 title, relating to:

18 (A) the Public Education Information Management  
19 System (PEIMS) to the extent necessary to monitor compliance with  
20 this subchapter as determined by the commissioner;

21 (B) criminal history records under Subchapter C,  
22 Chapter 22;

23 (C) reading instruments and accelerated reading  
24 instruction programs under Section 28.006;

- 1 (D) accelerated instruction under Section  
2 28.0211;
- 3 (E) high school graduation requirements under  
4 Section 28.025;
- 5 (F) special education programs under Subchapter  
6 A, Chapter 29;
- 7 (G) bilingual education under Subchapter B,  
8 Chapter 29;
- 9 (H) prekindergarten programs under Subchapter E  
10 or E-1, Chapter 29, except class size limits for prekindergarten  
11 classes imposed under Section 25.112, which do not apply;
- 12 (I) extracurricular activities under Section  
13 33.081;
- 14 (J) discipline management practices or behavior  
15 management techniques under Section 37.0021;
- 16 (K) health and safety under Chapter 38;
- 17 (L) the provisions of Subchapter A, Chapter 39;
- 18 (M) public school accountability and special  
19 investigations under Subchapters A, B, C, D, F, G, and J, Chapter  
20 39, and Chapter 39A;
- 21 (N) the requirement under Section 21.006 to  
22 report an educator's misconduct;
- 23 (O) intensive programs of instruction under  
24 Section 28.0213;
- 25 (P) the right of a school employee to report a  
26 crime, as provided by Section 37.148;
- 27 (Q) bullying prevention policies and procedures

under Section 37.0832;

(R) the right of a school under Section 37.0052 to place a student who has engaged in certain bullying behavior in a disciplinary alternative education program or to expel the student;

(S) the right under Section 37.0151 to report to local law enforcement certain conduct constituting assault or harassment;

(T) a parent's right to information regarding the provision of assistance for learning difficulties to the parent's child as provided by Sections 26.004(b)(11) and 26.0081(c) and (d);

(U) establishment of residency under Section 25.001;

(V) school safety requirements under Sections 37.0814, 37.108, 37.1081, 37.1082, 37.1083, 37.1084, 37.1085, 37.1086, 37.1087, 37.109, 37.113, 37.114, 37.1141, 37.115, 37.207, and 37.2071 and Subchapter J, Chapter 37;

(W) the early childhood literacy and mathematics proficiency plans under Section 11.185;

(X) the college, career, and military readiness plans under Section 11.186; and

(Y) parental options to retain a student under Section 28.02124.

SECTION 3. Sections 37.108(a) and (b), Education Code, are amended 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

1 prevention, mitigation, preparedness, response, and recovery,  
2 including the prompt recovery of services provided by the school  
3 district or public junior college district, as defined by the Texas  
4 School Safety Center in conjunction with the governor's office of  
5 homeland security, the commissioner of education, and the  
6 commissioner of higher education. The plan must provide for:

7 (1) training in responding to an emergency for  
8 district employees, including substitute teachers;

9 (2) measures to ensure district employees, including  
10 substitute teachers, have classroom access to a telephone,  
11 including a cellular telephone, or another electronic  
12 communication device allowing for immediate contact with district  
13 emergency services or emergency services agencies, law enforcement  
14 agencies, health departments, and fire departments;

15 (3) measures to ensure district communications  
16 technology and infrastructure are adequate to allow for  
17 communication during an emergency, including measures to ensure the  
18 use of standardized response protocol terminology, developed in  
19 coordination with the Texas School Safety Center, to facilitate  
20 communication between law enforcement, emergency services,  
21 district employees, and the public;

22 (4) if the plan applies to a school district,  
23 mandatory school drills and exercises, including drills required  
24 under Section 37.114, to prepare district students and employees  
25 for responding to an emergency;

26 (5) measures to ensure coordination with the  
27 Department of State Health Services and local emergency management

1 agencies, law enforcement, health departments, and fire  
2 departments in the event of an emergency;

3 (6) the implementation of a safety and security audit  
4 as required by Subsection (b); and

5 (7) any other requirements established by the Texas  
6 School Safety Center in consultation with the agency and relevant  
7 local law enforcement agencies.

8 (b) At least once every three years, each school district or  
9 public junior college district shall conduct a safety and security  
10 audit of the district's facilities that includes a security review  
11 as described by Section 37.1087 for each district facility. A  
12 district, or a person included in the registry established by the  
13 Texas School Safety Center under Section 37.2091 who is engaged by  
14 the district to conduct a safety and security audit, shall follow  
15 safety and security audit procedures developed by the Texas School  
16 Safety Center in coordination with the commissioner of education or  
17 commissioner of higher education, as applicable.

18 SECTION 4. Section 37.1083(a), Education Code, is amended  
19 to read as follows:

20 (a) The agency shall monitor the implementation and  
21 operation of requirements related to school district safety and  
22 security, including school district:

23 (1) multihazard emergency operations plans; ~~and~~

24 (2) safety and security audits; and

25 (3) security reviews.

26 SECTION 5. Subchapter D, Chapter 37, Education Code, is  
27 amended by adding Section 37.1087 to read as follows:

1       Sec. 37.1087. SECURITY REVIEW. (a) If a school district  
2 constructs, acquires, renovates, or improves a district facility,  
3 the district shall, as soon as practicable, conduct a security  
4 review of the facility to:

5           (1) determine whether the facility meets school safety  
6 and security requirements as described by commissioner rule; and

7           (2) identify security vulnerabilities at the facility  
8 in the event of an active shooter incident and describe strategies  
9 to mitigate each vulnerability identified.

10       (b) The commissioner, in consultation with the Department  
11 of Public Safety, the Texas Division of Emergency Management, and  
12 the Texas School Safety Center, shall ensure that the rules adopted  
13 or amended under Section 7.061 include rules for the review  
14 required under this section.

15       SECTION 6. Subchapter D, Chapter 37, Education Code, is  
16 amended by adding Section 37.1171 to read as follows:

17       Sec. 37.1171. AVAILABILITY OF BREACHING TOOL AND BALLISTIC  
18 SHIELD. Each school district and open-enrollment charter school  
19 must have at least one breaching tool and one ballistic shield  
20 available for use at each campus in the event of an active shooter  
21 incident.

22       SECTION 7. Section 51.217(b), Education Code, is amended to  
23 read as follows:

24       (b) An institution shall adopt and implement a multihazard  
25 emergency operations plan for use at the institution. The plan must  
26 address mitigation, preparedness, response, and recovery,  
27 including the prompt recovery of services provided by the

1 institution. The plan must provide for:

- 2           (1) employee training in responding to an emergency;
- 3           (2) mandatory drills to prepare students, faculty, and
- 4 employees for responding to an emergency;
- 5           (3) measures to ensure coordination with the
- 6 Department of State Health Services, local emergency management
- 7 agencies, law enforcement, health departments, and fire
- 8 departments in the event of an emergency; and
- 9           (4) the implementation of a safety and security audit
- 10 as required by Subsection (c).

11       SECTION 8. Subchapter C, Chapter 96, Education Code, is

12 amended by adding Section 96.42 to read as follows:

13       Sec. 96.42. ADVANCED LAW ENFORCEMENT RAPID RESPONSE

14 TRAINING CENTER; CERTAIN DUTIES. (a) In this section:

15           (1) "Center" means the Advanced Law Enforcement Rapid

16 Response Training Center at Texas State University--San Marcos.

17           (2) "Emergency medical services personnel" and

18 "emergency medical services provider" have the meanings assigned by

19 Section 773.003, Health and Safety Code.

20           (3) "Local law enforcement agency" means a political

21 subdivision of this state authorized by law to employ or appoint

22 peace officers.

23       (b) The center shall create a template for use by a local law

24 enforcement agency or emergency medical services provider in

25 evaluating and reporting on the agency's or provider's response to

26 an active shooter incident at a primary or secondary school

27 facility under Section 418.1873, Government Code. The center may

collaborate with the Texas Division of Emergency Management, the Department of Public Safety, the Sheriffs' Association of Texas, or the Texas Police Chiefs Association to develop the template. The template must include:

(1) prompts for reporting on the following items:

(A) a brief description and outcome of the active shooter incident;

(B) a statement of personnel and equipment deployed during the incident;

(C) a cost analysis, including salaries, equipment, and incidentals;

(D) a copy of appropriate incident logs and reports;

(E) any maps, forms, or related documentation used in responding to or evaluating the agency's or provider's response to the incident;

(F) a summary of any deaths or injuries that occurred as a result of the incident;

(G) any information relating to the status of criminal investigations and subsequent prosecutions arising out of the incident; and

(H) a final evaluation, including:

(i) conclusions relating to the agency's or provider's response to the incident;

(ii) problems encountered during the response regarding personnel, equipment, resources, or multiagency response;

1                    (iii) suggestions for revising policy, such  
2 as improving training and equipment; and

3                    (iv) any additional considerations that  
4 would improve the agency's or provider's response to active shooter  
5 incidents at primary or secondary school facilities in the future;  
6 and

7                    (2) any other content the center considers  
8 appropriate.

9                    (c) The center shall develop a training program for peace  
10 officers and emergency medical services personnel for responding to  
11 active shooter incidents at primary and secondary school facilities  
12 as required by Section 418.1877(b), Government Code. In developing  
13 the training program, the center:

14                    (1) shall incorporate, if available, the findings of  
15 at least one final report submitted under Section 418.1873,  
16 Government Code, regarding a local law enforcement agency's or  
17 emergency medical services provider's response to an active shooter  
18 incident at a primary or secondary school facility; and

19                    (2) may collaborate with the Texas Division of  
20 Emergency Management, the Texas Commission on Law Enforcement, the  
21 Department of Public Safety, or the Department of State Health  
22 Services.

23                    (d) In developing the training program under Subsection  
24 (c), if a report described by Subsection (c)(1) is not immediately  
25 available, the center shall update the training program as soon as a  
26 report described by that subdivision becomes available to  
27 incorporate the report's findings.

SECTION 9. Subchapter L-1, Chapter 411, Government Code, is amended by adding Section 411.3735 to read as follows:

Sec. 411.3735. CERTIFICATION AND CONTINUING EDUCATION REQUIRED FOR CERTAIN PUBLIC INFORMATION OFFICERS. (a) In this section:

(1) "Division" means the Texas Division of Emergency Management.

(2) "Public information officer" means an individual who is employed or appointed by a state agency or local government entity and whose duties include communicating with the public during a disaster regarding the disaster.

(b) Each of the following entities shall employ or appoint a public information officer who must obtain certification in emergency communications from the division and complete continuing education on emergency communications as provided by Subchapter K, Chapter 418:

(1) a municipal police department;

(2) a sheriff's office;

(3) a county constable's office;

(4) a school district police department; and

(5) the department.

(c) The chief administrative officer of an agency may be appointed or employed as a public information officer.

SECTION 10. Subchapter C, Chapter 418, Government Code, is amended by adding Section 418.059 to read as follows:

Sec. 418.059. GUIDE ON PREPARING FOR AND RESPONDING TO ACTIVE SHOOTER INCIDENT AT SCHOOL FACILITY. (a) The division, in

1 coordination with the Emergency Management Council, shall develop a  
2 guide on preparing for and responding to an active shooter incident  
3 at a primary or secondary school facility for civic, volunteer, and  
4 community organizations.

5 (b) The division shall post the guide on the division's  
6 Internet website for public use. The guide must provide a  
7 comprehensive approach to preparing for and responding to active  
8 shooter incidents at primary and secondary school facilities and  
9 include information on:

10 (1) understanding mass violence incidents and best  
11 practices for community engagement related to those incidents;

12 (2) incident command structure;

13 (3) coordination of and access to resources, including  
14 trauma and support services, acute support services, long-term  
15 support services, spiritual support services, and family or victim  
16 assistance;

17 (4) long-term recovery and community resilience;

18 (5) communication coordination;

19 (6) training and planning resources; and

20 (7) preserving and restoring community cohesion and  
21 public life after the incident.

22 (c) In developing and revising the guide, the division may,  
23 in collaboration with the department, seek the advice and  
24 assistance of local governments, civic organizations, volunteer  
25 organizations, and community leaders.

26 SECTION 11. Subchapter H, Chapter 418, Government Code, is  
27 amended by adding Sections 418.1873 and 418.1877 to read as

1 follows:

2 Sec. 418.1873. EVALUATION AND REPORT ON RESPONSE TO ACTIVE  
3 SHOOTER INCIDENT AT SCHOOL FACILITY REQUIRED FOR CERTAIN ENTITIES.

4 (a) In this section:

5 (1) "Emergency medical services" and "emergency  
6 medical services provider" have the meanings assigned by Section  
7 773.003, Health and Safety Code.

8 (2) "Local law enforcement agency" means a political  
9 subdivision of this state authorized by law to employ or appoint  
10 peace officers.

11 (b) Each local law enforcement agency and emergency medical  
12 services provider that responds to an active shooter incident at a  
13 primary or secondary school facility by providing law enforcement  
14 services or emergency medical services, or both, shall:

15 (1) not later than the 45th day after the date of the  
16 incident, or as soon as practicable thereafter, initiate an  
17 evaluation of the agency's or provider's response to the incident  
18 and submit a preliminary report to the division, the department,  
19 and the Advanced Law Enforcement Rapid Response Training Center at  
20 Texas State University--San Marcos regarding, at minimum, the items  
21 required in the template created under Section 96.42, Education  
22 Code; and

23 (2) not later than the 90th day after the date of the  
24 incident, or as soon as practicable thereafter, finalize the report  
25 described by Subdivision (1) and submit the report to the division,  
26 the department, and the Advanced Law Enforcement Rapid Response  
27 Training Center at Texas State University--San Marcos.

1       (c) For purposes of implementing this section:

2               (1) the Texas Commission on Law Enforcement shall  
3 adopt rules with respect to local law enforcement agencies; and

4               (2) the division shall adopt rules with respect to  
5 emergency medical services and emergency medical services  
6 providers.

7       (d) The division, in coordination with the Texas School  
8 Safety Center, shall by rule define "active shooter incident" as an  
9 incident involving an active shooter, as that term is defined by the  
10 Federal Bureau of Investigation.

11       (e) A local law enforcement agency or emergency medical  
12 services provider that complies with this section regarding an  
13 active shooter incident at a primary or secondary school facility  
14 is not required to conduct any evaluation or issue any report that  
15 may be required under Section 418.188 regarding that incident.

16       (f) Information obtained or created by the division or the  
17 department in carrying out their obligations under this section are  
18 confidential and are not subject to disclosure under Chapter 552.

19       (g) Any meetings between a law enforcement agency or  
20 emergency medical services provider and the division or the  
21 department are not subject to the open meeting requirements of  
22 Chapter 551.

23       Sec. 418.1877. TRAINING ON RESPONSES TO ACTIVE SHOOTER  
24 INCIDENTS AT SCHOOL FACILITIES REQUIRED. (a) In this section:

25               (1) "Emergency medical services personnel" and  
26 "emergency medical services provider" have the meanings assigned by  
27 Section 773.003, Health and Safety Code.

1           (2) "Local law enforcement agency" has the meaning  
2 assigned by Section 418.1873.

3           (b) The Texas Commission on Law Enforcement by rule shall  
4 require the peace officers of each local law enforcement agency to  
5 complete a training program for responding to active shooter  
6 incidents at primary and secondary school facilities developed by  
7 the Advanced Law Enforcement Rapid Response Training Center at  
8 Texas State University--San Marcos as required by Section 96.42,  
9 Education Code.

10          (c) The division by rule shall require the emergency medical  
11 services personnel of each emergency medical services provider to  
12 complete a training program for responding to active shooter  
13 incidents at primary and secondary school facilities developed by  
14 the division. The training program must involve reviewing at least  
15 one final evaluation and report required by Section 418.1873.

16          (d) The division, the Texas Commission on Law Enforcement,  
17 and the Department of State Health Services may adopt rules to  
18 enforce this section.

19          SECTION 12. Chapter 418, Government Code, is amended by  
20 adding Subchapter K to read as follows:

21          SUBCHAPTER K. CERTIFICATION AND CONTINUING EDUCATION REQUIRED FOR  
22                               CERTAIN PUBLIC INFORMATION OFFICERS

23          Sec. 418.331. DEFINITION. In this subchapter, "public  
24 information officer" means an individual who is employed or  
25 appointed by a state agency, local government entity, or  
26 open-enrollment charter school and whose duties include  
27 communicating with the public during a disaster regarding the

1 disaster.

2 Sec. 418.332. CERTIFICATION AND CONTINUING EDUCATION  
3 REQUIRED FOR CERTAIN PUBLIC INFORMATION OFFICERS. (a) Each of the  
4 following entities shall employ or appoint a public information  
5 officer who must obtain certification in emergency communications  
6 from the division and complete continuing education on emergency  
7 communications as provided by this subchapter:

8 (1) a municipality;

9 (2) a county;

10 (3) an independent school district;

11 (4) an open-enrollment charter school; and

12 (5) the division.

13 (b) The chief administrator of an agency may be appointed or  
14 employed as a public information officer.

15 Sec. 418.333. CERTIFICATION AND CONTINUING EDUCATION. (a)  
16 A public information officer described by Sections 411.3735 and  
17 418.332 shall:

18 (1) obtain certification from the division in  
19 emergency communications not later than the first anniversary of  
20 the date the public information officer was hired or appointed; and

21 (2) complete a continuing education program on  
22 emergency communications approved by the division once during each  
23 12-month period beginning on the date the public information  
24 officer obtained certification.

25 (b) The division shall establish minimum education and  
26 training requirements for initial certification and continuing  
27 education under this subchapter. The minimum requirements must

comply with the policies and standards developed by the Texas Commission on Law Enforcement under Section 1701.163, Occupations Code. These minimum requirements must include courses on:

- (1) the National Incident Management System;
- (2) the Incident Command System; and
- (3) the basic skills and principles necessary to fulfill the role of a public information officer with respect to emergency communications.

(c) The division shall assist the entities subject to Sections 411.3735 and 418.332 in identifying approved training programs.

(d) The following courses may be taken to satisfy minimum education and training requirements under this subchapter:

- (1) a course provided by the Bill Blackwood Law Enforcement Management Institute of Texas; or
- (2) a course approved by the Texas Commission on Law Enforcement.

Sec. 418.334. COMPLIANCE RECORDS; INSPECTION. (a) Each entity subject to Section 418.332 shall:

- (1) maintain records that demonstrate the compliance of each public information officer employed or appointed by that entity with the certification and continuing education requirements of this subchapter; and
- (2) submit to the division the compliance records required to be maintained under Subdivision (1).

(b) The division shall permit inspection and copying by the department of the compliance records the division maintains under

1 Subsection (a)(1) during reasonable hours and in a reasonable  
2 manner.

3 Sec. 418.335. RULES. The division may adopt rules to  
4 administer this subchapter.

5 SECTION 13. Subchapter A, Chapter 772, Government Code, is  
6 amended by adding Sections 772.00791, 772.013, and 772.014 to read  
7 as follows:

8 Sec. 772.00791. LAW ENFORCEMENT AGENCY ACCREDITATION GRANT  
9 PROGRAM. (a) In this section, "criminal justice division" means  
10 the criminal justice division established under Section 772.006.

11 (b) The criminal justice division shall establish and  
12 administer a grant program to provide financial assistance to a law  
13 enforcement agency in this state for purposes of becoming  
14 accredited or maintaining accreditation:

15 (1) through the Texas Police Chiefs Association Law  
16 Enforcement Agency Best Practices Accreditation Program;

17 (2) by the Commission on Accreditation for Law  
18 Enforcement Agencies, Inc.;

19 (3) by the International Association of Campus Law  
20 Enforcement Administrators;

21 (4) by an accreditation program developed by the  
22 Sheriffs' Association of Texas; or

23 (5) by an association or organization designated by  
24 the Texas Commission on Law Enforcement as provided by Subsection  
25 (i).

26 (c) Except as provided by Subsection (e), the amount of a  
27 grant awarded to a law enforcement agency under this section is as

follows:

(1) \$25,000 for each qualifying accreditation:

(A) held by the agency on the date on which the program under this section was established; or

(B) received by the agency after the date described by Paragraph (A); and

(2) \$12,500 for each qualifying reaccreditation received by the agency after the date described by Subdivision (1)(A).

(d) A law enforcement agency may not be awarded a grant described by Subsection (c)(1) with respect to an accreditation for which the agency has previously been awarded a grant under that subdivision.

(e) If a law enforcement agency was awarded a grant described by Subsection (c)(1) and the accreditation expires without the agency receiving reaccreditation, the agency may be awarded a grant under this section in the amount provided by Subsection (c)(2) for becoming accredited by the accrediting entity for which the grant under Subsection (c)(1) was awarded.

(f) The criminal justice division shall establish:

(1) eligibility criteria for grant applicants;

(2) grant application procedures;

(3) guidelines relating to grant amounts;

(4) procedures for evaluating grant applications; and

(5) procedures for monitoring the use of a grant awarded under the program and ensuring compliance with any conditions of a grant.

1       (g) Not later than December 1 of each year, the criminal  
2 justice division shall submit to the Legislative Budget Board a  
3 report that provides the following information for the preceding  
4 state fiscal year:

5           (1) the name of each law enforcement agency that  
6 applied for a grant under this section; and

7           (2) the amount of money distributed to each law  
8 enforcement agency awarded a grant under this section.

9       (h) The criminal justice division may use any revenue  
10 available for purposes of this section.

11       (i) The criminal justice division, with the assistance of  
12 the Texas Commission on Law Enforcement, shall periodically review  
13 associations and organizations that establish standards of  
14 practice for law enforcement agencies and that offer accreditation  
15 to agencies that meet those standards. On a determination by the  
16 criminal justice division that accreditation of law enforcement  
17 agencies in this state by an association or organization would  
18 benefit public safety, the commission may designate the association  
19 or organization as an accrediting entity for purposes of Subsection  
20 (b)(5).

21       Sec. 772.013. COMPLEX EMERGENCY RESPONSE AND INVESTIGATION  
22 PLANNING FOR DEPARTMENT OF PUBLIC SAFETY AND CERTAIN POLITICAL  
23 SUBDIVISIONS. (a) In this section:

24           (1) "Department" means the Department of Public  
25 Safety.

26           (2) "First responder" means:

27               (A) a peace officer described by Article 2A.001,

1 Code of Criminal Procedure;

2 (B) an individual included as fire protection  
3 personnel by Section 419.021; and

4 (C) an individual included as emergency medical  
5 services personnel by Section 773.003, Health and Safety Code.

6 (b) To prepare for complex responses to and investigations  
7 of emergencies that require mutual aid and support from more than  
8 one governmental entity, the department shall consult with the  
9 sheriff of each county in which a primary or secondary school  
10 facility is located to determine which governmental entities that  
11 employ a first responder are reasonably likely, in the sheriff's  
12 opinion, to respond to an active shooter incident at one of those  
13 facilities.

14 (c) The department, each sheriff described by Subsection  
15 (b), and each governmental entity identified by the sheriff under  
16 that subsection shall collectively participate in:

17 (1) a multiagency tabletop exercise at least once each  
18 odd-numbered year; and

19 (2) an in-person drill at least once each  
20 even-numbered year.

21 (d) The department shall invite any appropriate federal  
22 agency to participate in an exercise described by Subsection (c).

23 Sec. 772.014. MUTUAL AID AGREEMENTS BETWEEN DEPARTMENT OF  
24 PUBLIC SAFETY AND LOCAL LAW ENFORCEMENT AGENCIES. (a) In this  
25 section, "department" means the Department of Public Safety.

26 (b) The department and each governmental entity identified  
27 by a sheriff under Section 772.013(b) shall collectively enter into

1 a mutual aid agreement that establishes the procedures for the  
2 provision of resources, personnel, facilities, equipment, and  
3 supplies in responses to critical incidents in a vertically  
4 integrated fashion.

5 (c) In establishing the procedures, the department and  
6 local law enforcement agencies shall:

7 (1) give priority to establishing the  
8 interoperability of communications equipment among the parties to  
9 the agreement;

10 (2) establish procedures for interagency coordination  
11 in activities arising from critical incidents, including evidence  
12 collection;

13 (3) set jurisdictional boundaries; and

14 (4) determine the capabilities, processes, and  
15 expectations among the parties to the agreement.

16 (d) The department shall invite any appropriate federal  
17 agency to enter into the agreement described by Subsection (b).

18 SECTION 14. Section 85.024, Local Government Code, is  
19 amended by amending Subsections (a) and (c) and adding Subsection  
20 (c-1) to read as follows:

21 (a) The sheriff of a county [~~with a total population of less~~  
22 ~~than 350,000~~] in which a public school is located shall call and  
23 conduct an annual meeting [~~semiannual meetings~~] to discuss:

24 (1) school safety;

25 (2) coordinated law enforcement response to school  
26 violence incidents;

27 (3) law enforcement agency capabilities;

1 (4) available resources;

2 (5) emergency radio interoperability;

3 (6) chain of command planning; ~~and~~

4 (7) each public school's multihazard emergency  
5 operations plan, including a discussion and analysis of how the  
6 school's multihazard emergency operations plan would be  
7 implemented in an emergency situation; and

8 (8) other related subjects proposed by a person in  
9 attendance at the meeting.

10 (c) In a county with a population of less than 350,000, the  
11 ~~The~~ following persons shall attend a meeting called under  
12 Subsection (a):

13 (1) the sheriff or the sheriff's designee;

14 (2) the police chief of a municipal police department  
15 in the county or the police chief's designee;

16 (3) each elected constable in the county or the  
17 constable's designees;

18 (4) each police chief of a school district's police  
19 department or school district security coordinator from each school  
20 district located in the county;

21 (5) a representative of the Department of Public  
22 Safety assigned to the county;

23 (6) a representative of each other state agency with  
24 commissioned peace officers assigned to the county;

25 (7) a person appointed to a command staff position at  
26 an emergency medical service in the county;

27 (8) a person appointed to a command staff position at a

1 municipal emergency medical service in the county;

2 (9) a person appointed to a command staff position at a  
3 fire department in the county;

4 (10) the superintendent or the superintendent's  
5 designee of each school district located in the county;

6 (11) the person who serves the function of  
7 superintendent, or that person's designee, in each open-enrollment  
8 charter school located in the county; ~~and~~

9 (12) a representative of the Texas Division of  
10 Emergency Management; and

11 (13) any other person the sheriff considers  
12 appropriate.

13 (c-1) In a county with a population of 350,000 or more, the  
14 following persons shall attend a meeting called under Subsection  
15 (a):

16 (1) for each school district located in the county,  
17 either:

18 (A) the police chief of the district's police  
19 department, or the chief's designee; or

20 (B) if the district contracts with another  
21 political subdivision for law enforcement services, the chief  
22 administrative officer of the law enforcement agency providing law  
23 enforcement services to the district, or the officer's designee;

24 (2) the superintendent of each school district located  
25 in the county; and

26 (3) any other person the sheriff considers  
27 appropriate.

SECTION 15. Chapter 391, Local Government Code, is amended by adding Section 391.0041 to read as follows:

Sec. 391.0041. MENTAL HEALTH RESOURCES PLAN FOR FIRST RESPONDER INVOLVED IN CRITICAL INCIDENT. (a) In this section:

(1) "Council of governments" means a regional planning commission for a state planning region created under this chapter.

(2) "Critical incident" means an incident involving a first responder that occurs while the first responder is performing official duties and that results in serious bodily injury to the first responder or poses a substantial risk of serious bodily injury or death to the first responder or of serious harm to the first responder's mental health or well-being.

(3) "First responder" means:

(A) a peace officer described by Article 2A.001, Code of Criminal Procedure;

(B) an individual included as fire protection personnel by Section 419.021, Government Code; and

(C) an individual included as emergency medical services personnel by Section 773.003, Health and Safety Code.

(b) The Texas Division of Emergency Management, in coordination with the Health and Human Services Commission and the Department of State Health Services, shall:

(1) develop a mental health resources plan to address the mental health needs of first responders following a critical incident; and

(2) provide the plan to each local emergency management director in the state.

1        (c) A plan developed under Subsection (b):

2            (1) must identify and provide for:

3                (A) education and training to a first responder  
4 prior to a critical incident on topics including:

5                    (i) the potential psychological impact that  
6 being involved in an incident may have on the first responder; and

7                    (ii) resources available to the first  
8 responder to address the psychological impact of an incident,  
9 including mental health counseling, peer support programs, and  
10 stress management practices; or

11                (B) a list of recommended providers located  
12 within the territory of the council of governments who can provide  
13 the education and training described by Paragraph (A);

14            (2) may recommend that an employer of a first  
15 responder:

16                (A) create a process to conduct a critical  
17 incident stress debriefing following an incident; and

18                (B) create a peer support program to support the  
19 first responder following an incident; and

20            (3) may include any other recommendation the council  
21 of governments considers appropriate to address the mental health  
22 needs of a first responder following a critical incident.

23        (d) Each political subdivision that receives a plan under  
24 this section shall:

25            (1) implement the plan; and

26            (2) share the plan with each council of governments  
27 that has jurisdiction over the political subdivision to ensure

1 regional plan integration and awareness.

2 SECTION 16. Section 1701.163, Occupations Code, is amended  
3 to read as follows:

4 Sec. 1701.163. MINIMUM STANDARDS FOR LAW ENFORCEMENT  
5 AGENCIES. (a) The commission, with input from an advisory  
6 committee, shall by rule establish minimum standards with respect  
7 to the creation or continued operation of a law enforcement agency  
8 based on the function, size, and jurisdiction of the agency,  
9 including:

10 (1) a determination regarding the public benefit of  
11 creating the agency in the community;

12 (2) the sustainable funding sources for the agency;

13 (3) the physical resources available to officers,  
14 including:

15 (A) all standard duty firearms;

16 (B) less lethal force weapons, including a  
17 requirement of at least one per officer on duty;

18 (C) effective communications equipment;

19 (D) protective equipment, including a  
20 requirement of:

21 (i) at least one bullet-resistant vest per  
22 officer on duty; and

23 (ii) access to at least one breaching tool  
24 and one ballistic shield;

25 (E) officer uniforms; and

26 (F) patrol vehicles and associated equipment;

27 (4) the physical facilities of the agency, including

1 any evidence room, dispatch area, or public area;

2 (5) the policies of the agency, including policies on:

3 (A) use of force;

4 (B) vehicle pursuit;

5 (C) professional conduct of officers;

6 (D) domestic abuse protocols;

7 (E) response to missing persons;

8 (F) supervision of part-time officers;

9 (G) impartial policing;

10 (H) active shooters, including a detailed  
11 written policy based on current best practices for responding to an  
12 active shooter incident at a primary or secondary school facility  
13 and a recommendation for the frequency at which simulated emergency  
14 drills should be conducted; and

15 (I) barricaded subjects;

16 (6) the administrative structure of the agency;

17 (7) liability insurance; and

18 (8) any other standard the commission considers  
19 necessary.

20 (b) A law enforcement agency may enter into a mutual aid  
21 agreement with a law enforcement agency with overlapping or  
22 adjacent jurisdiction to share protective equipment during a  
23 critical incident, as defined by Section 391.0041, Local Government  
24 Code, to meet the requirements under Subsection (a)(3)(D).

25 SECTION 17. Section 1701.253, Occupations Code, is amended  
26 by adding Subsection (u) to read as follows:

27 (u) As part of the minimum curriculum requirements, the

1 commission shall require an officer to complete the training  
2 courses described by Section 1701.273.

3 SECTION 18. Subchapter F, Chapter 1701, Occupations Code,  
4 is amended by adding Section 1701.273 to read as follows:

5 Sec. 1701.273. TRAINING ON INCIDENT RESPONSE AND COMMAND.

6 (a) The commission shall require a peace officer to complete the  
7 following emergency response management training courses, or a  
8 substantially similar successor course as determined by the  
9 commission, in collaboration with the Texas Division of Emergency  
10 Management:

11 (1) Introduction to the Incident Command System; and

12 (2) National Incident Management System, An  
13 Introduction.

14 (b) The commission shall require an officer to complete the  
15 training courses described by Subsection (a) unless the officer has  
16 completed the training under Section 1701.253(u).

17 SECTION 19. Subchapter H, Chapter 1701, Occupations Code,  
18 is amended by adding Section 1701.3526 to read as follows:

19 Sec. 1701.3526. CONTINUING EDUCATION ON INCIDENT RESPONSE  
20 AND COMMAND. (a) The commission shall require a peace officer whose  
21 duties involve the supervision of officers in an incident response  
22 to complete, as part of the continuing education programs under  
23 Section 1701.351(a), an advanced incident response and command  
24 course, in collaboration with the Texas Division of Emergency  
25 Management, as determined by commission rule.

26 (b) The exemption under Section 1701.351(d) does not apply  
27 to the training required by Subsection (a).

1       SECTION 20. Section 85.024(b), Local Government Code, is  
2 repealed.

3       SECTION 21. Not later than December 1, 2025, the Advanced  
4 Law Enforcement Rapid Response Training Center at Texas State  
5 University--San Marcos shall develop the template and training  
6 program required by Section 96.42, Education Code, as added by this  
7 Act.

8       SECTION 22. Not later than December 1, 2025, the Texas  
9 Division of Emergency Management shall develop and post the guide  
10 required by Section 418.059, Government Code, as added by this Act.

11       SECTION 23. Not later than December 1, 2025, the Texas  
12 Division of Emergency Management shall develop the training program  
13 required by Section 418.1877(c), Government Code, as added by this  
14 Act.

15       SECTION 24. A public information officer described by  
16 Section 411.3735 or 418.332, Government Code, as added by this Act,  
17 who was employed or appointed before the effective date of this Act  
18 shall obtain the certification required by Section 418.333,  
19 Government Code, as added by this Act, not later than September 1,  
20 2026.

21       SECTION 25. Not later than January 1, 2026, the Department  
22 of Public Safety and local law enforcement agencies shall enter  
23 into mutual aid agreements as required by Section 772.014,  
24 Government Code, as added by this Act.

25       SECTION 26. As soon as practicable after the effective date  
26 of this Act, each council of governments, as defined by Section  
27 391.0041, Local Government Code, as added by this Act, shall

1 develop a mental health resources plan required to be created under  
2 that section.

3       SECTION 27. As soon as practicable after the effective date  
4 of this Act, the Texas Commission on Law Enforcement shall adopt  
5 rules to implement the changes in law made by this Act to  
6 Subchapters D, F, and H, Chapter 1701, Occupations Code.

7       SECTION 28. The minimum curriculum requirements under  
8 Section 1701.253(u), Occupations Code, as added by this Act, apply  
9 only to an officer who first begins to satisfy those requirements on  
10 or after January 1, 2026.

11       SECTION 29. Section 1701.3526, Occupations Code, as added  
12 by this Act, applies only with respect to a 24-month continuing  
13 education training unit that begins on or after the effective date  
14 of this Act. A training unit that begins before the effective date  
15 of this Act is governed by the law in effect on the date the training  
16 unit began, and the former law is continued in effect for that  
17 purpose.

18       SECTION 30. This Act takes effect September 1, 2025.

ADOPTED

MAY 19 2025

*Latey Spaw*  
Secretary of the Senate

By: Peter P. Stone

H.B. No. 33

Substitute the following for H.B. No. 33:

By: J. J. Hing

C.S. H.B. No. 33

A BILL TO BE ENTITLED

1

AN ACT

2

relating to active shooter incidents at primary and secondary  
school facilities and other emergencies.

4

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

5

SECTION 1. This Act may be cited as the Uvalde Strong Act.

6

SECTION 2. Section 12.104(b), Education Code, is amended to

7

read as follows:

8

(b) An open-enrollment charter school is subject to:

9

(1) a provision of this title establishing a criminal

10 offense;

11

(2) the provisions in Chapter 554, Government Code;

12

and

13

(3) a prohibition, restriction, or requirement, as

14

applicable, imposed by this title or a rule adopted under this  
title, relating to:

16

(A) the Public Education Information Management

17

System (PEIMS) to the extent necessary to monitor compliance with  
this subchapter as determined by the commissioner;

19

(B) criminal history records under Subchapter C,

20

Chapter 22;

21

(C) reading instruments and accelerated reading

22

instruction programs under Section 28.006;

23

(D) accelerated instruction under Section

24

28.0211;

1                   (E) high school graduation requirements under  
2 Section 28.025;  
3                   (F) special education programs under Subchapter  
4 A, Chapter 29;  
5                   (G) bilingual education under Subchapter B,  
6 Chapter 29;  
7                   (H) prekindergarten programs under Subchapter E  
8 or E-1, Chapter 29, except class size limits for prekindergarten  
9 classes imposed under Section 25.112, which do not apply;  
10                  (I) extracurricular activities under Section  
11 33.081;  
12                  (J) discipline management practices or behavior  
13 management techniques under Section 37.0021;  
14                  (K) health and safety under Chapter 38;  
15                  (L) the provisions of Subchapter A, Chapter 39;  
16                  (M) public school accountability and special  
17 investigations under Subchapters A, B, C, D, F, G, and J, Chapter  
18 39, and Chapter 39A;  
19                  (N) the requirement under Section 21.006 to  
20 report an educator's misconduct;  
21                  (O) intensive programs of instruction under  
22 Section 28.0213;  
23                  (P) the right of a school employee to report a  
24 crime, as provided by Section 37.148;  
25                  (Q) bullying prevention policies and procedures  
26 under Section 37.0832;  
27                  (R) the right of a school under Section 37.0052

1 to place a student who has engaged in certain bullying behavior in a  
2 disciplinary alternative education program or to expel the student;  
3 (S) the right under Section 37.0151 to report to  
4 local law enforcement certain conduct constituting assault or  
5 harassment;

6 (T) a parent's right to information regarding the  
7 provision of assistance for learning difficulties to the parent's  
8 child as provided by Sections 26.004(b)(11) and 26.0081(c) and (d);

9 (U) establishment of residency under Section  
10 25.001;

11 (V) school safety requirements under Sections  
12 37.0814, 37.108, 37.1081, 37.1082, 37.1083, 37.1084, 37.1085,  
13 37.1086, 37.1087, 37.109, 37.113, 37.114, 37.1141, 37.115, 37.207,  
14 and 37.2071 and Subchapter J, Chapter 37;

15 (W) the early childhood literacy and mathematics  
16 proficiency plans under Section 11.185;

17 (X) the college, career, and military readiness  
18 plans under Section 11.186; and

19 (Y) parental options to retain a student under  
20 Section 28.02124.

21 SECTION 3. Sections 37.108(a) and (b), Education Code, are  
22 amended to read as follows:

23 (a) Each school district or public junior college district  
24 shall adopt and implement a multihazard emergency operations plan  
25 for use in the district's facilities. The plan must address  
26 prevention, mitigation, preparedness, response, and recovery,  
27 including the prompt recovery of services provided by the school

1 district or public junior college district, as defined by the Texas  
2 School Safety Center in conjunction with the governor's office of  
3 homeland security, the commissioner of education, and the  
4 commissioner of higher education. The plan must provide for:

5 (1) training in responding to an emergency for  
6 district employees, including substitute teachers;

7 (2) measures to ensure district employees, including  
8 substitute teachers, have classroom access to a telephone,  
9 including a cellular telephone, or another electronic  
10 communication device allowing for immediate contact with district  
11 emergency services or emergency services agencies, law enforcement  
12 agencies, health departments, and fire departments;

13 (3) measures to ensure district communications  
14 technology and infrastructure are adequate to allow for  
15 communication during an emergency, including measures to ensure the  
16 use of standardized response protocol terminology, developed in  
17 coordination with the Texas School Safety Center, to facilitate  
18 communication between law enforcement, emergency services,  
19 district employees, and the public;

20 (4) if the plan applies to a school district,  
21 mandatory school drills and exercises, including drills required  
22 under Section 37.114, to prepare district students and employees  
23 for responding to an emergency;

24 (5) measures to ensure coordination with the  
25 Department of State Health Services and local emergency management  
26 agencies, law enforcement, health departments, and fire  
27 departments in the event of an emergency;

1 (6) the implementation of a safety and security audit  
2 as required by Subsection (b); and

3 (7) any other requirements established by the Texas  
4 School Safety Center in consultation with the agency and relevant  
5 local law enforcement agencies.

6 (b) At least once every three years, each school district or  
7 public junior college district shall conduct a safety and security  
8 audit of the district's facilities that includes a security review  
9 as described by Section 37.1087 for each district facility. A  
10 district, or a person included in the registry established by the  
11 Texas School Safety Center under Section 37.2091 who is engaged by  
12 the district to conduct a safety and security audit, shall follow  
13 safety and security audit procedures developed by the Texas School  
14 Safety Center in coordination with the commissioner of education or  
15 commissioner of higher education, as applicable.

16 SECTION 4. Section 37.1083(a), Education Code, is amended  
17 to read as follows:

18 (a) The agency shall monitor the implementation and  
19 operation of requirements related to school district safety and  
20 security, including school district:

21 (1) multihazard emergency operations plans; ~~and~~

22 (2) safety and security audits; and

23 (3) security reviews.

24 SECTION 5. Subchapter D, Chapter 37, Education Code, is  
25 amended by adding Section 37.1087 to read as follows:

26 Sec. 37.1087. SECURITY REVIEW. (a) If a school district  
27 constructs, acquires, renovates, or improves a district facility,

1 the district shall, as soon as practicable, conduct a security  
2 review of the facility to:

3 (1) determine whether the facility meets school safety  
4 and security requirements as described by commissioner rule; and

5 (2) identify security vulnerabilities at the facility  
6 in the event of an active shooter incident and describe strategies  
7 to mitigate each vulnerability identified.

8 (b) The commissioner, in consultation with the Department  
9 of Public Safety, the Texas Division of Emergency Management, and  
10 the Texas School Safety Center, shall ensure that the rules adopted  
11 or amended under Section 7.061 include rules for the review  
12 required under this section.

13 SECTION 6. Subchapter D, Chapter 37, Education Code, is  
14 amended by adding Section 37.1171 to read as follows:

15 Sec. 37.1171. AVAILABILITY OF BREACHING TOOL AND BALLISTIC  
16 SHIELD. Each school district and open-enrollment charter school  
17 must have at least one breaching tool and one ballistic shield  
18 available for use at each campus in the event of an active shooter  
19 incident.

20 SECTION 7. Section 51.217(b), Education Code, is amended to  
21 read as follows:

22 (b) An institution shall adopt and implement a multihazard  
23 emergency operations plan for use at the institution. The plan must  
24 address mitigation, preparedness, response, and recovery,  
25 including the prompt recovery of services provided by the  
26 institution. The plan must provide for:

27 (1) employee training in responding to an emergency;

1           (2) mandatory drills to prepare students, faculty, and  
2 employees for responding to an emergency;

3           (3) measures to ensure coordination with the  
4 Department of State Health Services, local emergency management  
5 agencies, law enforcement, health departments, and fire  
6 departments in the event of an emergency; and

7           (4) the implementation of a safety and security audit  
8 as required by Subsection (c).

9           SECTION 8. Subchapter C, Chapter 96, Education Code, is  
10 amended by adding Section 96.42 to read as follows:

11           Sec. 96.42. ADVANCED LAW ENFORCEMENT RAPID RESPONSE  
12 TRAINING CENTER; CERTAIN DUTIES. (a) In this section:

13           (1) "Center" means the Advanced Law Enforcement Rapid  
14 Response Training Center at Texas State University--San Marcos.

15           (2) "Emergency medical services personnel" and  
16 "emergency medical services provider" have the meanings assigned by  
17 Section 773.003, Health and Safety Code.

18           (3) "Local law enforcement agency" means a political  
19 subdivision of this state authorized by law to employ or appoint  
20 peace officers.

21           (b) The center shall create a template for use by a local law  
22 enforcement agency or emergency medical services provider in  
23 evaluating and reporting on the agency's or provider's response to  
24 an active shooter incident at a primary or secondary school  
25 facility under Section 418.1873, Government Code. The center may  
26 collaborate with the Texas Division of Emergency Management, the  
27 Department of Public Safety, the Sheriffs' Association of Texas, or

1 the Texas Police Chiefs Association to develop the template. The  
2 template must include:

3 (1) prompts for reporting on the following items:

4 (A) a brief description and outcome of the active  
5 shooter incident;

6 (B) a statement of personnel and equipment  
7 deployed during the incident;

8 (C) a cost analysis, including salaries,  
9 equipment, and incidentals;

10 (D) a copy of appropriate incident logs and  
11 reports;

12 (E) any maps, forms, or related documentation  
13 used in responding to or evaluating the agency's or provider's  
14 response to the incident;

15 (F) a summary of any deaths or injuries that  
16 occurred as a result of the incident;

17 (G) any information relating to the status of  
18 criminal investigations and subsequent prosecutions arising out of  
19 the incident; and

20 (H) a final evaluation, including:

21 (i) conclusions relating to the agency's or  
22 provider's response to the incident;

23 (ii) problems encountered during the  
24 response regarding personnel, equipment, resources, or multiagency  
25 response;

26 (iii) suggestions for revising policy, such  
27 as improving training and equipment; and

1                    (iv) any additional considerations that  
2 would improve the agency's or provider's response to active shooter  
3 incidents at primary or secondary school facilities in the future;  
4 and

5                    (2) any other content the center considers  
6 appropriate.

7            (c) The center shall develop a training program for peace  
8 officers and emergency medical services personnel for responding to  
9 active shooter incidents at primary and secondary school facilities  
10 as required by Section 418.1877(b), Government Code. In developing  
11 the training program, the center:

12                    (1) shall incorporate, if available, the findings of  
13 at least one final report submitted under Section 418.1873,  
14 Government Code, regarding a local law enforcement agency's or  
15 emergency medical services provider's response to an active shooter  
16 incident at a primary or secondary school facility; and

17                    (2) may collaborate with the Texas Division of  
18 Emergency Management, the Texas Commission on Law Enforcement, the  
19 Department of Public Safety, or the Department of State Health  
20 Services.

21            (d) In developing the training program under Subsection  
22 (c), if a report described by Subsection (c)(1) is not immediately  
23 available, the center shall update the training program as soon as a  
24 report described by that subdivision becomes available to  
25 incorporate the report's findings.

26            SECTION 9. Subchapter L-1, Chapter 411, Government Code, is  
27 amended by adding Section 411.3735 to read as follows:

1       Sec. 411.3735. CERTIFICATION AND CONTINUING EDUCATION  
2 REQUIRED FOR CERTAIN PUBLIC INFORMATION OFFICERS. (a) In this  
3 section:

4               (1) "Division" means the Texas Division of Emergency  
5 Management.

6               (2) "Public information officer" means an individual  
7 who is employed or appointed by a state agency or local government  
8 entity and whose duties include communicating with the public  
9 during a disaster regarding the disaster.

10       (b) Each of the following entities shall employ or appoint a  
11 public information officer who must obtain certification in  
12 emergency communications from the division and complete continuing  
13 education on emergency communications as provided by Subchapter K,  
14 Chapter 418:

15               (1) a municipal police department;

16               (2) a sheriff's office;

17               (3) a county constable's office;

18               (4) a school district police department; and

19               (5) the department.

20       (c) The chief administrative officer of an agency may be  
21 appointed or employed as a public information officer.

22       SECTION 10. Subchapter C, Chapter 418, Government Code, is  
23 amended by adding Section 418.059 to read as follows:

24       Sec. 418.059. GUIDE ON PREPARING FOR AND RESPONDING TO  
25 ACTIVE SHOOTER INCIDENT AT SCHOOL FACILITY. (a) The division, in  
26 coordination with the Emergency Management Council, shall develop a  
27 guide on preparing for and responding to an active shooter incident

1 at a primary or secondary school facility for civic, volunteer, and  
2 community organizations.

3 (b) The division shall post the guide on the division's  
4 Internet website for public use. The guide must provide a  
5 comprehensive approach to preparing for and responding to active  
6 shooter incidents at primary and secondary school facilities and  
7 include information on:

8 (1) understanding mass violence incidents and best  
9 practices for community engagement related to those incidents;

10 (2) incident command structure;

11 (3) coordination of and access to resources, including  
12 trauma and support services, acute support services, long-term  
13 support services, spiritual support services, and family or victim  
14 assistance;

15 (4) long-term recovery and community resilience;

16 (5) communication coordination;

17 (6) training and planning resources; and

18 (7) preserving and restoring community cohesion and  
19 public life after the incident.

20 (c) In developing and revising the guide, the division may,  
21 in collaboration with the department, seek the advice and  
22 assistance of local governments, civic organizations, volunteer  
23 organizations, and community leaders.

24 SECTION 11. Subchapter H, Chapter 418, Government Code, is  
25 amended by adding Sections 418.1873 and 418.1877 to read as  
26 follows:

27 Sec. 418.1873. EVALUATION AND REPORT ON RESPONSE TO ACTIVE

1 SHOOTER INCIDENT AT SCHOOL FACILITY REQUIRED FOR CERTAIN ENTITIES.

2 (a) In this section:

3 (1) "Emergency medical services" and "emergency  
4 medical services provider" have the meanings assigned by Section  
5 773.003, Health and Safety Code.

6 (2) "Local law enforcement agency" means a political  
7 subdivision of this state authorized by law to employ or appoint  
8 peace officers.

9 (b) Each local law enforcement agency and emergency medical  
10 services provider that responds to an active shooter incident at a  
11 primary or secondary school facility by providing law enforcement  
12 services or emergency medical services, or both, shall:

13 (1) not later than the 45th day after the date of the  
14 incident, or as soon as practicable thereafter, initiate an  
15 evaluation of the agency's or provider's response to the incident  
16 and submit a preliminary report to the division, the department,  
17 and the Advanced Law Enforcement Rapid Response Training Center at  
18 Texas State University--San Marcos regarding, at minimum, the items  
19 required in the template created under Section 96.42, Education  
20 Code; and

21 (2) not later than the 90th day after the date of the  
22 incident, or as soon as practicable thereafter, finalize the report  
23 described by Subdivision (1) and submit the report to the division,  
24 the department, and the Advanced Law Enforcement Rapid Response  
25 Training Center at Texas State University--San Marcos.

26 (c) For purposes of implementing this section:

27 (1) the Texas Commission on Law Enforcement shall

1 adopt rules with respect to local law enforcement agencies; and

2 (2) the division shall adopt rules with respect to  
3 emergency medical services and emergency medical services  
4 providers.

5 (d) The division, in coordination with the Texas School  
6 Safety Center, shall by rule define "active shooter incident" as an  
7 incident involving an active shooter, as that term is defined by the  
8 Federal Bureau of Investigation.

9 (e) A local law enforcement agency or emergency medical  
10 services provider that complies with this section regarding an  
11 active shooter incident at a primary or secondary school facility  
12 is not required to conduct any evaluation or issue any report that  
13 may be required under Section 418.188 regarding that incident.

14 (f) Information obtained or created by the division or the  
15 department in carrying out their obligations under this section are  
16 confidential and are not subject to disclosure under Chapter 552.

17 (g) Any meetings between a law enforcement agency or  
18 emergency medical services provider and the division or the  
19 department are not subject to the open meeting requirements of  
20 Chapter 551.

21 Sec. 418.1877. TRAINING ON RESPONSES TO ACTIVE SHOOTER  
22 INCIDENTS AT SCHOOL FACILITIES REQUIRED. (a) In this section:

23 (1) "Emergency medical services personnel" and  
24 "emergency medical services provider" have the meanings assigned by  
25 Section 773.003, Health and Safety Code.

26 (2) "Local law enforcement agency" has the meaning  
27 assigned by Section 418.1873.

1       **(b) The Texas Commission on Law Enforcement by rule shall**  
2 **require the peace officers of each local law enforcement agency to**  
3 **complete a training program for responding to active shooter**  
4 **incidents at primary and secondary school facilities developed by**  
5 **the Advanced Law Enforcement Rapid Response Training Center at**  
6 **Texas State University--San Marcos as required by Section 96.42,**  
7 **Education Code.**

8       **(c) The division by rule shall require the emergency medical**  
9 **services personnel of each emergency medical services provider to**  
10 **complete a training program for responding to active shooter**  
11 **incidents at primary and secondary school facilities developed by**  
12 **the division. The training program must involve reviewing at least**  
13 **one final evaluation and report required by Section 418.1873.**

14       **(d) The division, the Texas Commission on Law Enforcement,**  
15 **and the Department of State Health Services may adopt rules to**  
16 **enforce this section.**

17       SECTION 12. Chapter 418, Government Code, is amended by  
18 adding Subchapter K to read as follows:

19       **SUBCHAPTER K. CERTIFICATION AND CONTINUING EDUCATION REQUIRED FOR**  
20       **CERTAIN PUBLIC INFORMATION OFFICERS**

21       **Sec. 418.331. DEFINITION. In this subchapter, "public**  
22 **information officer" means an individual who is employed or**  
23 **appointed by a state agency, local government entity, or**  
24 **open-enrollment charter school and whose duties include**  
25 **communicating with the public during a disaster regarding the**  
26 **disaster.**

27       **Sec. 418.332. CERTIFICATION AND CONTINUING EDUCATION**

1 REQUIRED FOR CERTAIN PUBLIC INFORMATION OFFICERS. (a) Each of the  
2 following entities shall employ or appoint a public information  
3 officer who must obtain certification in emergency communications  
4 from the division and complete continuing education on emergency  
5 communications as provided by this subchapter:

6 (1) a municipality;

7 (2) a county;

8 (3) an independent school district;

9 (4) an open-enrollment charter school; and

10 (5) the division.

11 (b) The chief administrator of an agency may be appointed or  
12 employed as a public information officer.

13 Sec. 418.333. CERTIFICATION AND CONTINUING EDUCATION. (a)  
14 A public information officer described by Sections 411.3735 and  
15 418.332 shall:

16 (1) obtain certification from the division in  
17 emergency communications not later than the first anniversary of  
18 the date the public information officer was hired or appointed; and

19 (2) complete a continuing education program on  
20 emergency communications approved by the division once during each  
21 12-month period beginning on the date the public information  
22 officer obtained certification.

23 (b) The division shall establish minimum education and  
24 training requirements for initial certification and continuing  
25 education under this subchapter. The minimum requirements must  
26 comply with the policies and standards developed by the Texas  
27 Commission on Law Enforcement under Section 1701.163, Occupations

1 Code. These minimum requirements must include courses on:

2 (1) the National Incident Management System;

3 (2) the Incident Command System; and

4 (3) the basic skills and principles necessary to  
5 fulfill the role of a public information officer with respect to  
6 emergency communications.

7 (c) The division shall assist the entities subject to  
8 Sections 411.3735 and 418.332 in identifying approved training  
9 programs.

10 (d) The following courses may be taken to satisfy minimum  
11 education and training requirements under this subchapter:

12 (1) a course provided by the Bill Blackwood Law  
13 Enforcement Management Institute of Texas; or

14 (2) a course approved by the Texas Commission on Law  
15 Enforcement.

16 Sec. 418.334. COMPLIANCE RECORDS; INSPECTION. (a) Each  
17 entity subject to Section 418.332 shall:

18 (1) maintain records that demonstrate the compliance  
19 of each public information officer employed or appointed by that  
20 entity with the certification and continuing education  
21 requirements of this subchapter; and

22 (2) submit to the division the compliance records  
23 required to be maintained under Subdivision (1).

24 (b) The division shall permit inspection and copying by the  
25 department of the compliance records the division maintains under  
26 Subsection (a)(1) during reasonable hours and in a reasonable  
27 manner.

1       Sec. 418.335. RULES. The division may adopt rules to  
2 administer this subchapter.

3       SECTION 13. Subchapter A, Chapter 772, Government Code, is  
4 amended by adding Sections 772.00791, 772.013, and 772.014 to read  
5 as follows:

6       Sec. 772.00791. FIRST RESPONDER AND TELECOMMUNICATOR  
7 ACTIVE ATTACK INTEGRATED RESPONSE TRAINING GRANT PROGRAM. (a) In  
8 this section:

9           (1) "Criminal justice division" means the criminal  
10 justice division established under Section 772.006.

11           (2) "First responder" has the meaning assigned by  
12 Section 772.013.

13           (3) "Telecommunicator" has the meaning assigned by  
14 Section 1701.001, Occupations Code.

15       (b) The criminal justice division shall establish and  
16 administer a grant program to provide financial assistance to first  
17 responders and telecommunicators for the purpose of attending an  
18 active attack integrated response training course through the  
19 Advanced Law Enforcement Rapid Response Training Center at Texas  
20 State University--San Marcos or a similar course approved by the  
21 division.

22       (c) The criminal justice division shall establish:

23           (1) eligibility criteria for grant applicants;

24           (2) grant application procedures;

25           (3) criteria for evaluating grant applications and  
26 awarding grants;

27           (4) guidelines related to grant amounts; and

1           (5) procedures for monitoring the use of a grant  
2 awarded under this section and ensuring compliance with any  
3 conditions of the grant.

4           (d) The criminal justice division may use any revenue  
5 available for purposes of this section.

6           Sec. 772.013. COMPLEX EMERGENCY RESPONSE AND INVESTIGATION  
7 PLANNING FOR DEPARTMENT OF PUBLIC SAFETY AND CERTAIN POLITICAL  
8 SUBDIVISIONS. (a) In this section:

9           (1) "Department" means the Department of Public  
10 Safety.

11           (2) "First responder" means:

12           (A) a peace officer described by Article 2A.001,  
13 Code of Criminal Procedure;

14           (B) an individual included as fire protection  
15 personnel by Section 419.021; and

16           (C) an individual included as emergency medical  
17 services personnel by Section 773.003, Health and Safety Code.

18           (b) To prepare for complex responses to and investigations  
19 of emergencies that require mutual aid and support from more than  
20 one governmental entity, the department shall consult with the  
21 sheriff of each county in which a primary or secondary school  
22 facility is located to determine which governmental entities that  
23 employ a first responder are reasonably likely, in the sheriff's  
24 opinion, to respond to an active shooter incident at one of those  
25 facilities.

26           (c) The department, each sheriff described by Subsection  
27 (b), and each governmental entity identified by the sheriff under

1 that subsection shall collectively participate in:

2 (1) a multiagency tabletop exercise at least once each  
3 odd-numbered year; and

4 (2) an in-person drill at least once each  
5 even-numbered year.

6 (d) The department shall invite any appropriate federal  
7 agency to participate in an exercise described by Subsection (c).

8 Sec. 772.014. MUTUAL AID AGREEMENTS BETWEEN DEPARTMENT OF  
9 PUBLIC SAFETY AND LOCAL LAW ENFORCEMENT AGENCIES. (a) In this  
10 section, "department" means the Department of Public Safety.

11 (b) The department and each governmental entity identified  
12 by a sheriff under Section 772.013(b) shall collectively enter into  
13 a mutual aid agreement that establishes the procedures for the  
14 provision of resources, personnel, facilities, equipment, and  
15 supplies in responses to critical incidents in a vertically  
16 integrated fashion.

17 (c) In establishing the procedures, the department and  
18 local law enforcement agencies shall:

19 (1) give priority to establishing the  
20 interoperability of communications equipment among the parties to  
21 the agreement;

22 (2) establish procedures for interagency coordination  
23 in activities arising from critical incidents, including evidence  
24 collection;

25 (3) set jurisdictional boundaries; and

26 (4) determine the capabilities, processes, and  
27 expectations among the parties to the agreement.

1        (d) The department shall invite any appropriate federal  
2 agency to enter into the agreement described by Subsection (b).

3        SECTION 14. Section 85.024, Local Government Code, is  
4 amended by amending Subsections (a) and (c) and adding Subsection  
5 (c-1) to read as follows:

6        (a) The sheriff of a county [~~with a total population of less~~  
7 ~~than 350,000~~] in which a public school is located shall call and  
8 conduct an annual meeting [~~semiannual meetings~~] to discuss:

9                (1) school safety;

10               (2) coordinated law enforcement response to school  
11 violence incidents;

12               (3) law enforcement agency capabilities;

13               (4) available resources;

14               (5) emergency radio interoperability;

15               (6) chain of command planning; [~~and~~]

16               (7) each public school's multihazard emergency  
17 operations plan, including a discussion and analysis of how the  
18 school's multihazard emergency operations plan would be  
19 implemented in an emergency situation; and

20               (8) other related subjects proposed by a person in  
21 attendance at the meeting.

22        (c) In a county with a population of less than 350,000, the  
23 [~~The~~] following persons shall attend a meeting called under  
24 Subsection (a):

25               (1) the sheriff or the sheriff's designee;

26               (2) the police chief of a municipal police department  
27 in the county or the police chief's designee;

1           (3) each elected constable in the county or the  
2 constable's designees;

3           (4) each police chief of a school district's police  
4 department or school district security coordinator from each school  
5 district located in the county;

6           (5) a representative of the Department of Public  
7 Safety assigned to the county;

8           (6) a representative of each other state agency with  
9 commissioned peace officers assigned to the county;

10          (7) a person appointed to a command staff position at  
11 an emergency medical service in the county;

12          (8) a person appointed to a command staff position at a  
13 municipal emergency medical service in the county;

14          (9) a person appointed to a command staff position at a  
15 fire department in the county;

16          (10) the superintendent or the superintendent's  
17 designee of each school district located in the county;

18          (11) the person who serves the function of  
19 superintendent, or that person's designee, in each open-enrollment  
20 charter school located in the county; ~~and~~

21          (12) a representative of the Texas Division of  
22 Emergency Management; and

23          (13) any other person the sheriff considers  
24 appropriate.

25          (c-1) In a county with a population of 350,000 or more, the  
26 following persons shall attend a meeting called under Subsection  
27 (a):

1           (1) for each school district located in the county,  
2 either:  
3           (A) the police chief of the district's police  
4 department, or the chief's designee; or  
5           (B) if the district contracts with another  
6 political subdivision for law enforcement services, the chief  
7 administrative officer of the law enforcement agency providing law  
8 enforcement services to the district, or the officer's designee;  
9           (2) the superintendent of each school district located  
10 in the county; and  
11           (3) any other person the sheriff considers  
12 appropriate.

13           SECTION 15. Chapter 391, Local Government Code, is amended  
14 by adding Section 391.0041 to read as follows:

15           Sec. 391.0041. MENTAL HEALTH RESOURCES PLAN FOR FIRST  
16 RESPONDER INVOLVED IN CRITICAL INCIDENT. (a) In this section:

17           (1) "Council of governments" means a regional planning  
18 commission for a state planning region created under this chapter.

19           (2) "Critical incident" means an incident involving a  
20 first responder that occurs while the first responder is performing  
21 official duties and that results in serious bodily injury to the  
22 first responder or poses a substantial risk of serious bodily  
23 injury or death to the first responder or of serious harm to the  
24 first responder's mental health or well-being.

25           (3) "First responder" means:

26           (A) a peace officer described by Article 2A.001,  
27 Code of Criminal Procedure;

1                   (B) an individual included as fire protection  
2 personnel by Section 419.021, Government Code; and

3                   (C) an individual included as emergency medical  
4 services personnel by Section 773.003, Health and Safety Code.

5           (b) The Texas Division of Emergency Management, in  
6 coordination with the Health and Human Services Commission and the  
7 Department of State Health Services, shall:

8                   (1) develop a mental health resources plan to address  
9 the mental health needs of first responders following a critical  
10 incident; and

11                   (2) provide the plan to each local emergency  
12 management director in the state.

13           (c) A plan developed under Subsection (b):

14                   (1) must identify and provide for:

15                           (A) education and training to a first responder  
16 prior to a critical incident on topics including:

17                                   (i) the potential psychological impact that  
18 being involved in an incident may have on the first responder; and

19                                   (ii) resources available to the first  
20 responder to address the psychological impact of an incident,  
21 including mental health counseling, peer support programs, and  
22 stress management practices; or

23                           (B) a list of recommended providers located  
24 within the territory of the council of governments who can provide  
25 the education and training described by Paragraph (A);

26                           (2) may recommend that an employer of a first  
27 responder:

1                   (A) create a process to conduct a critical  
2 incident stress debriefing following an incident; and

3                   (B) create a peer support program to support the  
4 first responder following an incident; and

5                   (3) may include any other recommendation the council  
6 of governments considers appropriate to address the mental health  
7 needs of a first responder following a critical incident.

8                   (d) Each political subdivision that receives a plan under  
9 this section shall:

10                   (1) implement the plan; and

11                   (2) share the plan with each council of governments  
12 that has jurisdiction over the political subdivision to ensure  
13 regional plan integration and awareness.

14                   SECTION 16. Section 1701.163, Occupations Code, is amended  
15 to read as follows:

16                   Sec. 1701.163. MINIMUM STANDARDS FOR LAW ENFORCEMENT  
17 AGENCIES. (a) The commission, with input from an advisory  
18 committee, shall by rule establish minimum standards with respect  
19 to the creation or continued operation of a law enforcement agency  
20 based on the function, size, and jurisdiction of the agency,  
21 including:

22                   (1) a determination regarding the public benefit of  
23 creating the agency in the community;

24                   (2) the sustainable funding sources for the agency;

25                   (3) the physical resources available to officers,  
26 including:

27                   (A) all standard duty firearms;

1                   (B) less lethal force weapons, including a  
2 requirement of at least one per officer on duty;  
3                   (C) effective communications equipment;  
4                   (D) protective equipment, including a  
5 requirement of:  
6                         (i) at least one bullet-resistant vest per  
7 officer on duty; and  
8                         (ii) access to at least one breaching tool  
9 and one ballistic shield;  
10                   (E) officer uniforms; and  
11                   (F) patrol vehicles and associated equipment;  
12                   (4) the physical facilities of the agency, including  
13 any evidence room, dispatch area, or public area;  
14                   (5) the policies of the agency, including policies on:  
15                         (A) use of force;  
16                         (B) vehicle pursuit;  
17                         (C) professional conduct of officers;  
18                         (D) domestic abuse protocols;  
19                         (E) response to missing persons;  
20                         (F) supervision of part-time officers;  
21                         (G) impartial policing;  
22                         (H) active shooters, including a detailed  
23 written policy based on current best practices for responding to an  
24 active shooter incident at a primary or secondary school facility  
25 and a recommendation for the frequency at which simulated emergency  
26 drills should be conducted; and  
27                   (I) barricaded subjects;

1           (6) the administrative structure of the agency;  
2           (7) liability insurance; and  
3           (8) any other standard the commission considers  
4 necessary.

5       (b) A law enforcement agency may enter into a mutual aid  
6 agreement with a law enforcement agency with overlapping or  
7 adjacent jurisdiction to share protective equipment during a  
8 critical incident, as defined by Section 391.0041, Local Government  
9 Code, to meet the requirements under Subsection (a)(3)(D).

10       SECTION 17. Section 1701.253, Occupations Code, is amended  
11 by adding Subsection (u) to read as follows:

12       (u) As part of the minimum curriculum requirements, the  
13 commission shall require an officer to complete the training  
14 courses described by Section 1701.273.

15       SECTION 18. Subchapter F, Chapter 1701, Occupations Code,  
16 is amended by adding Section 1701.273 to read as follows:

17       Sec. 1701.273. TRAINING ON INCIDENT RESPONSE AND COMMAND.

18       (a) The commission shall require a peace officer to complete the  
19 following emergency response management training courses, or a  
20 substantially similar successor course as determined by the  
21 commission, in collaboration with the Texas Division of Emergency  
22 Management:

23           (1) Introduction to the Incident Command System; and

24           (2) National Incident Management System, An  
25 Introduction.

26       (b) The commission shall require an officer to complete the  
27 training courses described by Subsection (a) unless the officer has

1 completed the training under Section 1701.253(u).

2       SECTION 19. Subchapter H, Chapter 1701, Occupations Code,  
3 is amended by adding Section 1701.3526 to read as follows:

4       Sec. 1701.3526. CONTINUING EDUCATION ON INCIDENT RESPONSE  
5 AND COMMAND. (a) The commission shall require a peace officer whose  
6 duties involve the supervision of officers in an incident response  
7 to complete, as part of the continuing education programs under  
8 Section 1701.351(a), an advanced incident response and command  
9 course, in collaboration with the Texas Division of Emergency  
10 Management, as determined by commission rule.

11       (b) The exemption under Section 1701.351(d) does not apply  
12 to the training required by Subsection (a).

13       SECTION 20. Section 85.024(b), Local Government Code, is  
14 repealed.

15       SECTION 21. Not later than December 1, 2025, the Advanced  
16 Law Enforcement Rapid Response Training Center at Texas State  
17 University--San Marcos shall develop the template and training  
18 program required by Section 96.42, Education Code, as added by this  
19 Act.

20       SECTION 22. Not later than December 1, 2025, the Texas  
21 Division of Emergency Management shall develop and post the guide  
22 required by Section 418.059, Government Code, as added by this Act.

23       SECTION 23. Not later than December 1, 2025, the Texas  
24 Division of Emergency Management shall develop the training program  
25 required by Section 418.1877(c), Government Code, as added by this  
26 Act.

27       SECTION 24. A public information officer described by

1 Section 411.3735 or 418.332, Government Code, as added by this Act,  
2 who was employed or appointed before the effective date of this Act  
3 shall obtain the certification required by Section 418.333,  
4 Government Code, as added by this Act, not later than September 1,  
5 2026.

6 SECTION 25. Not later than January 1, 2026, the Department  
7 of Public Safety and local law enforcement agencies shall enter  
8 into mutual aid agreements as required by Section 772.014,  
9 Government Code, as added by this Act.

10 SECTION 26. As soon as practicable after the effective date  
11 of this Act, each council of governments, as defined by Section  
12 391.0041, Local Government Code, as added by this Act, shall  
13 develop a mental health resources plan required to be created under  
14 that section.

15 SECTION 27. As soon as practicable after the effective date  
16 of this Act, the Texas Commission on Law Enforcement shall adopt  
17 rules to implement the changes in law made by this Act to  
18 Subchapters D, F, and H, Chapter 1701, Occupations Code.

19 SECTION 28. The minimum curriculum requirements under  
20 Section 1701.253(u), Occupations Code, as added by this Act, apply  
21 only to an officer who first begins to satisfy those requirements on  
22 or after January 1, 2026.

23 SECTION 29. Section 1701.3526, Occupations Code, as added  
24 by this Act, applies only with respect to a 24-month continuing  
25 education training unit that begins on or after the effective date  
26 of this Act. A training unit that begins before the effective date  
27 of this Act is governed by the law in effect on the date the training

1 unit began, and the former law is continued in effect for that  
2 purpose.

3 SECTION 30. This Act takes effect September 1, 2025.

## LEGISLATIVE BUDGET BOARD

Austin, Texas

### FISCAL NOTE, 89TH LEGISLATIVE REGULAR SESSION

May 20, 2025

**TO:** Honorable Dustin Burrows, Speaker of the House, House of Representatives

**FROM:** Jerry McGinty, Director, Legislative Budget Board

**IN RE: HB33** by McLaughlin (Relating to active shooter incidents at primary and secondary school facilities and other emergencies.), **As Passed 2nd House**

The bill would implement various requirements related to state and local law enforcement active shooter response protocols. The impact of the bill's requirements on the Texas Department of Public Safety's agency operations cannot be determined. In addition, the amount of grant funding available for distribution by the Office of the Governor would be subject to appropriations. For these reasons, the fiscal impact of the bill cannot be determined.

Among its provisions, the bill would require law enforcement agencies to adopt a policy for responding to active shooter incidents. The bill would direct local law enforcement agencies and emergency medical services providers to submit a report on their response to active shooter incidents. The bill would require law enforcement agencies to have access to at least one breaching tool and one ballistic shield. The bill would establish a grant program called the First Responder and Telecommunicator Active Attack Integrated Response Training Grant. The program would be administered by the Office of the Governor's (OOG) Criminal Justice Division and would provide financial assistance to first responders and telecommunicators to attend an active attack integrated response training course.

According to OOG, administrative costs associated with implementing the First Responder and Telecommunicator Active Attack Integrated Response Training Grant could be absorbed within existing resources. However, total funding associated with the grant program cannot be determined as the amount of legislative appropriations is unknown.

According to the Department of Public Safety (DPS), certain provisions of the bill could generate significant costs for the agency, including provisions related to training law enforcement agencies, mutual aid agreement requirements, and conducting certain drills and exercises. The extent of those costs could not be determined.

Other agencies and entities are directed to develop various procedures and requirements, but costs associated with implementation could be absorbed within existing agency resources.

#### Local Government Impact

Local government entities and certain school districts may experience costs as the result of implementing the legislation, the extent of those costs cannot be determined at this time.

**Source Agencies:** 300 Trusteed Programs Within the Office of the Governor, 405 Department of Public Safety, 407 Commission on Law Enforcement, 529 Health and Human Services Commission, 537 State Health Services, Department of, 575 Texas Division of Emergency Management, 701 Texas Education Agency, 710 Texas A&M University System Administrative and General Offices, 717 Texas Southern University, 720 The University of Texas System Administration, 758 Texas State University System, 768 Texas Tech University System Administration, 769 University of North Texas System Administration, 783 University of Houston System Administration, 966 Howard College, 978 San Jacinto College

**LBB Staff:** JMc, SD, MGol, THO, KTw

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 89TH LEGISLATIVE REGULAR SESSION**

**May 13, 2025**

**TO:** Honorable Pete Flores, Chair, Senate Committee on Criminal Justice

**FROM:** Jerry McGinty, Director, Legislative Budget Board

**IN RE: HB33** by McLaughlin (relating to active shooter incidents at primary and secondary school facilities and other emergencies.), **Committee Report 2nd House, Substituted**

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**LBB Staff:** JMc, MGol, THO, KTw

LEGISLATIVE BUDGET BOARD  
Austin, Texas

FISCAL NOTE, 89TH LEGISLATIVE REGULAR SESSION

May 9, 2025

TO: Honorable Pete Flores, Chair, Senate Committee on Criminal Justice

FROM: Jerry McGinty, Director, Legislative Budget Board

IN RE: **HB33** by McLaughlin (Relating to active shooter incidents at primary and secondary school facilities and other emergencies, including certain accreditations of law enforcement agencies that respond to such emergencies.), **As Engrossed**

**Estimated Two-year Net Impact to General Revenue Related Funds** for HB33, As Engrossed: a negative impact of (\$139,882,700) through the biennium ending August 31, 2027.

The bill would make no appropriation but could provide the legal basis for an appropriation of funds to implement the provisions of the bill.

General Revenue-Related Funds, Five- Year Impact:

<i>Fiscal Year</i>	Probable Net Positive/(Negative) Impact to <i>General Revenue Related Funds</i>
2026	(\$69,945,134)
2027	(\$69,937,566)
2028	(\$69,945,134)
2029	(\$35,100,066)
2030	(\$35,107,634)

All Funds, Five-Year Impact:

<i>Fiscal Year</i>	Probable Savings/(Cost) from <i>General Revenue Fund</i> 1	<i>Change in Number of State Employees from FY 2025</i>
2026	(\$69,945,134)	2.0
2027	(\$69,937,566)	2.0
2028	(\$69,945,134)	2.0
2029	(\$35,100,066)	2.0
2030	(\$35,107,634)	2.0

Fiscal Analysis

The bill would require law enforcement agencies to adopt a policy for responding to active shooter incidents. The bill directs local law enforcement agencies and emergency medical services providers to submit a report on their response to active shooter incidents. The bill requires law enforcement agencies to have access to at least one breaching tool and one ballistic shield.

The bill would establish the Law Enforcement Agency Accreditation Grant administered by the Office of the Governor's (OOG) Criminal Justice Division, which would provide financial assistance to law enforcement

agencies in order to obtain accreditation and reaccreditation through certain national or regional accrediting entities that are specified in the bill. The bill would authorize eligible law enforcement agencies to request grant funding to reimburse costs for the purpose of becoming accredited or maintaining accreditation. The grant awarded to eligible law enforcement agencies amounts to \$25,000 for accreditation and \$12,500 for reaccreditation.

The bill would require the Criminal Justice Division to submit an annual report before December 1st that details the name of each law enforcement agency that applied for a grant and the amount of money distributed to each agency awarded a grant.

## **Methodology**

The Law Enforcement Agency Accreditation Grant program administered through OOG generates the fiscal impact detailed in this fiscal note. The Texas Department of Public Safety (DPS) indicates certain provisions of the bill could generate significant costs for the agency, including provisions related to training law enforcement agencies, mutual aid agreement requirements, and conducting certain drills and exercises. The extent of those costs could not be determined. Other agencies and entities are directed to develop various procedures and requirements, but costs associated with implementation were indeterminate or could be absorbed within current agency resources

According to OOG, there are currently 2,787 active law enforcement agencies registered in Texas. Accreditation programs for law enforcement agencies tend to vary in cost depending on the size of the agency. For example, the Commission on Accreditation for Law Enforcement Officers (CALEA) charges \$8,475 for an agency size of 1-24 employees whereas it charges \$19,950 for an agency with 1000+ employees. Additionally, agencies may incur other costs in addition to the accreditation fee while seeking accreditation, such as separate charges for on-site costs of initial assessment. Additional costs might vary depending on lodging, airfare, the number of assessors utilized, and other factors related to agency assessment.

The OOG estimates a cost of \$69,765,000 in each fiscal year to provide the grants associated with the Law Enforcement Agency Accreditation Grant Program. This analysis assumes that all law enforcement agencies that meet eligibility requirements would receive the maximum individual grant amount of \$25,000 for the first three years after enactment of the bill. Based on the lower grant award for reaccreditation, this analysis assumes that costs for the grant program in out-years could be reduced.

The OOG estimates 2.0 FTEs, one Grant Specialist III and one Auditor III, would be needed to administer the program. The total estimate for FTE-related costs, travel, and various operating expenses in the 2026-27 biennium for the OOG is anticipated to be \$532,700. Total costs to implement the bill for the 2026-27 biennium for the OOG is anticipated to be \$139,882,700.

## **Local Government Impact**

Local law enforcement agencies would be eligible to receive up to \$25,000 to obtain accreditation and up to \$12,500 to obtain reaccreditation.

Local government entities and certain school districts may experience costs as a result of implementing the legislation as proposed.

**Source Agencies:** 300 Trusteed Programs Within the Office of the Governor, 405 Department of Public Safety, 407 Commission on Law Enforcement, 529 Health and Human Services Commission, 537 State Health Services, Department of, 575 Texas Division of Emergency Management, 701 Texas Education Agency, 710 Texas A&M University System Administrative and General Offices, 717 Texas Southern University, 719 Texas State Technical College System Administration, 720 The University of Texas System Administration, 758 Texas State University System, 768 Texas Tech University System Administration, 769 University of North Texas System Administration, 783 University of Houston System Administration, 966 Howard College, 978 San Jacinto College

**LBB Staff:** JMc, MGol, THO, KTW

LEGISLATIVE BUDGET BOARD  
Austin, Texas

FISCAL NOTE, 89TH LEGISLATIVE REGULAR SESSION

April 11, 2025

TO: Honorable Cole Hefner, Chair, House Committee on Homeland Security, Public Safety & Veterans' Affairs

FROM: Jerry McGinty, Director, Legislative Budget Board

IN RE: HB33 by McLaughlin (relating to active shooter incidents at primary and secondary school facilities and other emergencies, including certain accreditations of law enforcement agencies that respond to such emergencies.), Committee Report 1st House, Substituted

**Estimated Two-year Net Impact to General Revenue Related Funds** for HB33, Committee Report 1st House, Substituted: a negative impact of (\$139,882,700) through the biennium ending August 31, 2027.

The bill would make no appropriation but could provide the legal basis for an appropriation of funds to implement the provisions of the bill.

General Revenue-Related Funds, Five- Year Impact:

<i>Fiscal Year</i>	<i>Probable Net Positive/(Negative) Impact to General Revenue Related Funds</i>
2026	(\$69,945,134)
2027	(\$69,937,566)
2028	(\$69,945,134)
2029	(\$35,100,066)
2030	(\$35,107,634)

All Funds, Five-Year Impact:

<i>Fiscal Year</i>	<i>Probable Savings/(Cost) from General Revenue Fund 1</i>	<i>Change in Number of State Employees from FY 2025</i>
2026	(\$69,945,134)	2.0
2027	(\$69,937,566)	2.0
2028	(\$69,945,134)	2.0
2029	(\$35,100,066)	2.0
2030	(\$35,107,634)	2.0

Fiscal Analysis

The bill would require law enforcement agencies to adopt a policy for responding to active shooter incidents. The bill directs local law enforcement agencies and emergency medical services providers to submit a report on their response to active shooter incidents. The bill requires law enforcement agencies to have access to at least one breaching tool and one ballistic shield.

The bill would establish the Law Enforcement Agency Accreditation Grant administered by the Office of the

Governor's (OOG) Criminal Justice Division, which would provide financial assistance to law enforcement agencies in order to obtain accreditation and reaccreditation through certain national or regional accrediting entities that are specified in the bill. The bill would authorize eligible law enforcement agencies to request grant funding to reimburse costs for the purpose of becoming accredited or maintaining accreditation. The grant awarded to eligible law enforcement agencies amounts to \$25,000 for accreditation and \$12,500 for reaccreditation.

The bill would require the Criminal Justice Division to submit an annual report before December 1st that details the name of each law enforcement agency that applied for a grant and the amount of money distributed to each agency awarded a grant.

## **Methodology**

The Law Enforcement Agency Accreditation Grant program administered through OOG generates the fiscal impact detailed in this fiscal note. The Texas Department of Public Safety (DPS) indicates certain provisions of the bill could generate significant costs for the agency, including provisions related to training law enforcement agencies, mutual aid agreement requirements, and conducting certain drills and exercises. The extent of those costs could not be determined. Other agencies and entities are directed to develop various procedures and requirements, but costs associated with implementation were indeterminate or could be absorbed within current agency resources

According to OOG, there are currently 2,787 active law enforcement agencies registered in Texas. Accreditation programs for law enforcement agencies tend to vary in cost depending on the size of the agency. For example, the Commission on Accreditation for Law Enforcement Officers (CALEA) charges \$8,475 for an agency size of 1-24 employees whereas it charges \$19,950 for an agency with 1000+ employees. Additionally, agencies may incur other costs in addition to the accreditation fee while seeking accreditation, such as separate charges for on-site costs of initial assessment. Additional costs might vary depending on lodging, airfare, the number of assessors utilized, and other factors related to agency assessment.

The OOG estimates a cost of \$69,765,000 in each fiscal year to provide the grants associated with the Law Enforcement Agency Accreditation Grant Program. This analysis assumes that all law enforcement agencies that meet eligibility requirements would receive the maximum individual grant amount of \$25,000 for the first three years after enactment of the bill. Based on the lower grant award for reaccreditation, this analysis assumes that costs for the grant program in out-years could be reduced.

The OOG estimates 2.0 FTEs, one Grant Specialist III and one Auditor III, would be needed to administer the program. The total estimate for FTE-related costs, travel, and various operating expenses in the 2026-27 biennium for the OOG is anticipated to be \$532,700. Total costs to implement the bill for the 2026-27 biennium for the OOG is anticipated to be \$139,882,700.

## **Local Government Impact**

Local law enforcement agencies would be eligible to receive up to \$25,000 to obtain accreditation and up to \$12,500 to obtain reaccreditation.

Local government entities and certain school districts may experience costs as a result of implementing the legislation as proposed.

**Source Agencies:** 300 Trusteed Programs Within the Office of the Governor, 405 Department of Public Safety, 407 Commission on Law Enforcement, 529 Health and Human Services Commission, 537 State Health Services, Department of, 575 Texas Division of Emergency Management, 701 Texas Education Agency, 710 Texas A&M University System Administrative and General Offices, 717 Texas Southern University, 719 Texas State Technical College System Administration, 720 The University of Texas System Administration, 758 Texas State University System, 768 Texas Tech University System Administration, 769 University of North Texas System Administration, 783 University of Houston System Administration, 966 Howard College, 978 San Jacinto College

**LBB Staff:** JMc, MGol, THO, KTw

LEGISLATIVE BUDGET BOARD  
Austin, Texas

FISCAL NOTE, 89TH LEGISLATIVE REGULAR SESSION

March 18, 2025

TO: Honorable Cole Hefner, Chair, House Committee on Homeland Security, Public Safety & Veterans' Affairs

FROM: Jerry McGinty, Director, Legislative Budget Board

IN RE: **HB33** by McLaughlin (Relating to active shooter events and other emergencies, including certain accreditations of law enforcement agencies that respond to such emergencies.), **As Introduced**

**Estimated Two-year Net Impact to General Revenue Related Funds** for HB33, As Introduced: a negative impact of (\$139,882,700) through the biennium ending August 31, 2027.

The bill would make no appropriation but could provide the legal basis for an appropriation of funds to implement the provisions of the bill.

General Revenue-Related Funds, Five- Year Impact:

<i>Fiscal Year</i>	<i>Probable Net Positive/(Negative) Impact to General Revenue Related Funds</i>
2026	(\$69,945,134)
2027	(\$69,937,566)
2028	(\$69,945,134)
2029	(\$35,100,066)
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All Funds, Five-Year Impact:

<i>Fiscal Year</i>	<i>Probable Savings/(Cost) from General Revenue Fund 1</i>	<i>Change in Number of State Employees from FY 2025</i>
2026	(\$69,945,134)	2.0
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2028	(\$69,945,134)	2.0
2029	(\$35,100,066)	2.0
2030	(\$35,107,634)	2.0

Fiscal Analysis

The bill would require law enforcement agencies to adopt a policy for responding to active shooter emergencies. The bill directs local law enforcement agencies and emergency medical services providers to submit a report on their response to active shooter events. The bill requires law enforcement agencies to make available sufficient tactical equipment for the agency's peace officers to effectively respond to a critical incident. Among its provisions, the bill would direct the Texas Department of Public Safety (DPS) to meet annually with school districts and public junior colleges to review the district's multihazard emergency operations plan.

The bill would establish the Law Enforcement Agency Accreditation Grant administered by the Office of the Governor's (OOG) Criminal Justice Division, which would provide financial assistance to law enforcement agencies in order to obtain accreditation and reaccreditation through certain national or regional accrediting entities that are specified in the bill. The bill would authorize eligible law enforcement agencies to request grant funding to reimburse costs for the purposes of becoming accredited or maintaining accreditation. The grant awarded to eligible law enforcement agencies amounts to \$25,000 for accreditation and \$12,500 for reaccreditation.

The bill would require the Criminal Justice Division to submit an annual report before December 1st that details the name of each law enforcement agency that applied for a grant and the amount of money distributed to each agency awarded a grant.

## **Methodology**

The Law Enforcement Agency Accreditation Grant program administered through OOG generates the fiscal impacted detailed in this fiscal note. DPS indicates certain provisions of the bill could generate significant costs for the agency, including provisions related to training law enforcement agencies and meeting with school districts and community colleges. The extent of those costs could not be determined. Other agencies and entities are directed to develop various procedures and requirements, but costs associated with implementation were indeterminate or could be absorbed within current agency resources

According to OOG, there are currently 2,787 active law enforcement agencies registered in Texas. Accreditation programs for law enforcement agencies tend to vary in cost depending on the size of the agency. For example, the Commission on Accreditation for Law Enforcement Officers (CALEA) charges \$8,475 for an agency size of 1-24 employees whereas it charges \$19,950 for an agency with 1000+ employees. Additionally, agencies may incur other costs in addition to the accreditation fee while seeking accreditation, such as separate charges for on-site costs of initial assessment. Additional costs might vary depending on lodging, airfare, the number of assessors utilized, and other factors related to agency assessment.

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## **Local Government Impact**

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Local government entities may experience costs as the result of implementing the legislation.

**Source Agencies:** 300 Trusted Programs Within the Office of the Governor, 405 Department of Public Safety, 407 Commission on Law Enforcement, 537 State Health Services, Department of, 575 Texas Division of Emergency Management, 701 Texas Education Agency, 710 Texas A&M University System Administrative and General Offices, 717 Texas Southern University, 719 Texas State Technical College System Administration, 720 The University of Texas System Administration, 758 Texas State University System, 769 University of North Texas System Administration, 783 University of Houston System Administration, 966 Howard College, 978 San Jacinto College

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