

By: McLaughlin, Guillen, Moody, Leo Wilson,
Louderback, et al.

H.B. No. 33

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

By: Hefner

C.S.H.B. No. 33

A BILL TO BE ENTITLED

AN ACT

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.

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

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

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

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

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

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

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

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

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

(C) reading instruments and accelerated reading
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

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

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

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

(2) incident command structure;

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

(4) long-term recovery and community resilience;

(5) communication coordination;

(6) training and planning resources; and

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

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

SECTION 11. Subchapter [H](#), Chapter [418](#), Government Code, is amended by adding Sections 418.1873 and 418.1877 to read as

follows:

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

(a) In this section:

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

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

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

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

(2) not later than the 90th day after the date of the incident, or as soon as practicable thereafter, finalize the report described by Subdivision (1) and submit the report to the division, the department, and the Advanced Law Enforcement Rapid Response 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](#),

Code of Criminal Procedure;

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

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

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

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

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

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

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

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

(b) The department and each governmental entity identified 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

any evidence room, dispatch area, or public area;

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

(A) use of force;

(B) vehicle pursuit;

(C) professional conduct of officers;

(D) domestic abuse protocols;

(E) response to missing persons;

(F) supervision of part-time officers;

(G) impartial policing;

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

(I) barricaded subjects;

(6) the administrative structure of the agency;

(7) liability insurance; and

(8) any other standard the commission considers necessary.

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

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

(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.