

By: Toth

H.B. No. 1042

A BILL TO BE ENTITLED

AN ACT

relating to requiring law enforcement agencies to establish a campus active shooter response plan.

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

SECTION 1. Chapter 2, Code of Criminal Procedure, is amended by adding Article 2.33 to read as follows:

Art. 2.33. CAMPUS ACTIVE SHOOTER RESPONSE PLAN. (a) Each law enforcement agency in this state shall:

(1) establish a plan for coordinating with other local law enforcement agencies and first responders when responding to an active shooter emergency on the campus of a school or educational institution;

(2) annually:

(A) conduct an active shooter drill with local law enforcement agencies and first responders in accordance with the plan; and

(B) review and, if necessary, revise the plan; and

(3) not later than July 1 of each year, submit the plan to the Department of Public Safety.

(b) The response plan established under Subsection (a)(1) must include protocols for the first officer arriving at the scene to immediately:

(1) enter the premises where the emergency is

1 occurring;

2 (2) identify and evaluate the threat; and

3 (3) take action to eliminate the threat, if feasible,
4 or contain the threat to prevent further injuries and protect the
5 public while additional law enforcement officers are summoned.

6 (c) The Department of Public Safety shall adopt rules and
7 procedures to annually certify a law enforcement agency's
8 compliance with this article.

9 SECTION 2. (a) As soon as practicable after the effective
10 date of this Act:

11 (1) each law enforcement agency shall establish the
12 campus active shooter response plan required by Article 2.33(a)(1),
13 Code of Criminal Procedure, as added by this Act; and

14 (2) the Department of Public Safety shall adopt the
15 rules and procedures required by Article 2.33(c), Code of Criminal
16 Procedure, as added by this Act.

17 (b) Not later than July 1, 2020, each law enforcement agency
18 shall submit the agency's initial plan to the Department of Public
19 Safety, as required by Article 2.33(a)(3), Code of Criminal
20 Procedure, as added by this Act.

21 SECTION 3. This Act takes effect immediately if it receives
22 a vote of two-thirds of all the members elected to each house, as
23 provided by Section 39, Article III, Texas Constitution. If this
24 Act does not receive the vote necessary for immediate effect, this
25 Act takes effect September 1, 2019.