

## **BILL ANALYSIS**

C.S.H.B. 204  
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Public Education  
Committee Report (Substituted)

### **BACKGROUND AND PURPOSE**

Unfortunately, Texas has the second highest number of school shootings in the country, with nearly 150 total active shooter events. Many of these attacks have been fatal. Panic alert devices in school classrooms would allow for instant notification to law enforcement or medical personnel of an active shooter event or other emergency situation requiring immediate response. Each additional minute waiting for first responders to be notified during a lockdown situation may place children, teachers, and school personnel at risk of serious injury and death. When a panic alert device is activated, first responders can react immediately which could be the difference between life or death. C.S.H.B. 204 seeks to address this issue by requiring a public school district or open-enrollment charter school to provide each classroom with a panic alert device that allows for immediate contact with district emergency services or emergency services agencies, law enforcement agencies, health departments, and fire departments. The bill provides an opt-out provision for this requirement.

### **CRIMINAL JUSTICE IMPACT**

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

### **RULEMAKING AUTHORITY**

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

### **ANALYSIS**

C.S.H.B. 204 amends the Education Code to require each public school district and open-enrollment charter school to provide each classroom in the district or school with a panic alert device that allows for immediate contact with district emergency services or emergency services agencies, law enforcement agencies, health departments, and fire departments. The bill establishes that a panic alert device provided by a district or charter school does not satisfy the requirement under statutory provisions relating to a multihazard operations plan and safety and security audit for the district or charter school to ensure employees have classroom access to a telephone or another electronic communication device. The bill authorizes a school district or charter school, in order to comply with the requirement, to use funds provided to the district or school through the school safety allotment or other available funds and use the district's or school's customary procurement process.

C.S.H.B. 204 authorizes the board of trustees of a school district or the governing body of a charter school to elect not to provide panic alert devices if the board or governing body determines that the district or school does not have sufficient money available to provide the devices. The bill requires the election to be authorized by a resolution adopted by majority vote of the board or governing body in an open meeting.

C.S.H.B. 204 applies beginning with the 2023-2024 school year.

**EFFECTIVE DATE**

On passage, or, if the bill does not receive the necessary vote, September 1, 2021.

**COMPARISON OF ORIGINAL AND SUBSTITUTE**

While C.S.H.B. 204 may differ from the original in minor or nonsubstantive ways, the following summarizes the substantial differences between the introduced and committee substitute versions of the bill.

The substitute does not provide any of the original's provisions explicitly requiring school districts and open-enrollment charter schools to provide a landline telephone or panic button in every classroom or explicitly requiring a multihazard emergency operations plan to provide for access for those items. Rather, the substitute specifies that school districts and open-enrollment charter schools must provide only a panic alert device in each classroom and further provides that this device does not satisfy the current statutory requirement for multihazard emergency operations plan to ensure that employees, including substitute teachers, have classroom access to a telephone or another electronic communication device.

The substitute includes a provision, which was not included in the original, specifying that school safety allotment funds or other available funds and an applicable customary procurement process may be used to comply with its requirement regarding the panic devices. However, the substitute also includes an opt-out provision that authorizes the board of trustees of a school district or the governing body of a charter school to elect not to provide the panic alert device if it determines there is insufficient money available to provide the devices. The original did not have an opt-out provision for its requirements.