
SENATE COMMITTEE ON APPROPRIATIONS

Senator Anthony Portantino, Chair
2021 - 2022 Regular Session

SB 906 (Portantino) - School safety: mass casualty threats

Version: April 7, 2022

Policy Vote: ED. 4 - 0, ED. 2 - 2, ED. 5 - 1, PUB. S. 3 - 0

Urgency: No

Mandate: Yes

Hearing Date: May 9, 2022

Consultant: Lenin Del Castillo

Bill Summary: This bill requires local educational agencies (LEAs) to provide information to parents or guardians about California's child access prevention laws and laws relating to the safe storage of firearms. This bill also requires school officials to report to law enforcement any threat or perceived threat of an incident of mass casualties.

Fiscal Impact:

- The bill's provisions requiring LEAs to provide information to parents about child access prevention laws and laws relating to the safe storage of firearms could result in a reimbursable state mandate. The extent of these costs is unknown and would depend on how an LEA elects to implement the bill's requirements. An LEA may choose to send printed documents to parents or utilize an online messaging system which would be less costly.
- The bill's requirement for local law enforcement agencies or the schoolsite police to immediately conduct an investigation of any threat or perceived threat to prevent an incident of mass casualties at the school is not expected to result in significant costs to those agencies.
- The bill's requirement for the California Department of Education (CDE) to assess best practices currently being used and develop model content for use by LEAs regarding child access prevention laws and the safe storage of firearms could result in one-time General Fund costs in the low hundreds of thousands of dollars.

Background: Existing law requires each school district or county office of education to be responsible for the overall development of all comprehensive school safety plans for its schools. Existing law provides that the schoolsite council or a school safety planning committee is responsible for developing the comprehensive school safety plan. School safety plans are to include an assessment of the current status of school crime committed on school campuses and at school-related functions, and identification of appropriate strategies and programs that will provide or maintain a high level of school safety and address the school's procedures for complying with existing laws related to school safety, including the development of, among other things, policies for students who committed serious acts that would lead to suspension, expulsion, or mandatory expulsion recommendations, and procedures to notify teachers of dangerous students.

Proposed Law: This bill requires, beginning with the 2023–24 school year, LEAs to include in the existing annual notifications information related to the safe storage of firearms using the model content developed by CDE, as specified.

This bill requires a school official to immediately report to law enforcement if the school official is alerted to or observes any threat or perceived threat of an incident of mass casualties at a school. It requires the report to include copies of any documentary or other evidence associated with the threat or perceived threat, and authorizes a single report to be made when two or more school officials jointly have an obligation to report and when there is agreement among them. The bill requires a school official who has knowledge that the designated reporting school official has failed to make the single report to thereafter make the report. The bill also requires law enforcement to keep a record of any report received from an LEA.

This bill requires the local law enforcement agency or the schoolsite police, as appropriate and with the support of the LEA or school, to immediately conduct an investigation and assessment of any threat or perceived threat to prevent an incident of mass casualties at the school. It requires the investigation and threat assessment to include, but not be limited to, a review of DOJ's firearm registry and appropriate searches conducted by the local law enforcement agency or the schoolsite police, as appropriate.

This bill requires CDE, on or before June 1, 2023, in consultation with relevant LEAs and the DOJ, to assess best practices currently being used and develop model content for use by LEAs to inform parents or guardians of California's child access prevention laws and laws relating to the safe storage of firearms. It requires the model content to include, at a minimum, content that informs parents or guardians of California's child access prevention laws and laws relating to the safe storage of firearms, including but not limited to criminal penalties for storage of a firearm where a child gains access to that firearm. The bill requires CDE to annually update the model content as necessary to reflect any changes in law.

This bill provides that an LEA and school is immune from civil liability for any damages allegedly caused by, arising out of, or relating to the requirements of this article.

Related Legislation: AB 452 (Friedman) requires LEAs to annually inform parents or guardians of enrolled students about California's child access prevention laws and laws relating to the safe storage of firearms. This bill is pending in the Senate Education Committee.

SB 1203 (Bates, 2018) required each public, charter, and private school to establish lockdown training procedures. SB 1203 was held in the Assembly Appropriations Committee.

AB 1747 (Rodriguez, Chapter 806, 2018) expanded the required elements of school safety plans, including procedures to respond to active shooter situations, required schools to conduct annual active shooter drills, and required the CDE to provide additional guidance and oversight of safety plans.