

BILL ANALYSIS

C.S.H.B. 1750
By: Sanford
Homeland Security & Public Safety
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Interested parties note that honorably retired commissioned officers of the Department of Public Safety (DPS) who serve as special rangers are exempt from certain continuing education requirements as part of their service as special rangers while honorably retired commissioned officers of other executive agencies are not. C.S.H.B. 1750 seeks to expand the exemptions afforded to those retired commissioned DPS officers and to extend those exemptions to honorably retired commissioned officers of DPS, the Parks and Wildlife Department, and the Texas Alcoholic Beverage Commission who serve as special Texas Rangers, special game wardens, and special inspectors or representatives, respectively.

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. 1750 amends the Occupations Code to expand the exemption from the requirement to complete certain continuing education training programs at least once every 48 months for an honorably retired commissioned officer of the Department of Public Safety (DPS) who is appointed by the Public Safety Commission as a special ranger to exempt such an officer from certain other continuing education programs and continuing education requirements. The bill extends those exemptions to an honorably retired commissioned DPS officer who is appointed by the Public Safety Commission as a special Texas Ranger, an honorably retired commissioned officer of the Parks and Wildlife Department (TPWD) who is commissioned by the executive director of TPWD as a special game warden, and an honorably retired commissioned officer of the Texas Alcoholic Beverage Commission (TABC) who is appointed by TABC or the TABC administrator as a special inspector or representative and specifies that that each such officer has the same rights and privileges as any other peace officer of Texas and holds an active license unless the license is revoked, suspended, or probated by the Texas Commission on Law Enforcement (TCOLE) for a violation of applicable state law. The bill expands the exemption for an honorably retired commissioned DPS officer appointed as a special ranger or a special Texas Ranger from certain training requirements as part of the minimum school curriculum adopted by TCOLE for law enforcement training to exempt such an officer from any training as part of that curriculum and extends that exemption to an honorably retired commissioned TPWD officer who is commissioned as a special game warden and an honorably retired commissioned TABC officer who is appointed as a special inspector or representative.

EFFECTIVE DATE

August 28, 2017.

COMPARISON OF ORIGINAL AND SUBSTITUTE

While C.S.H.B. 1750 may differ from the original in minor or nonsubstantive ways, the following comparison is organized and formatted in a manner that indicates the substantial differences between the introduced and committee substitute versions of the bill.

INTRODUCED

HOUSE COMMITTEE SUBSTITUTE

SECTION 1. Section 1701.356(a), Occupations Code, is amended to read as follows:

SECTION 1. Section 1701.356, Occupations Code, is amended to read as follows:

Sec. 1701.356. CERTAIN OFFICERS: REACTIVATION AND CONTINUING EDUCATION NOT REQUIRED.

(a) An honorably retired commissioned officer of the Department of Public Safety,

(a) An officer is not subject to Section 1701.351 or 1701.352 if the officer is:

(1) an honorably retired commissioned officer of the Department of Public Safety who is:

the Parks and Wildlife Department, or

(A) a special ranger under Section 411.023, Government Code; or

(B) a special Texas Ranger under Section 411.024, Government Code;

the Texas Alcoholic Beverage Commission, who is a special ranger under Section 411.023, Government Code, may not be required to undergo training under Section 1701.352(b).

(2) an honorably retired commissioned officer of the Parks and Wildlife Department who is a special game warden under Section 11.0201, Parks and Wildlife Code; or

(3) an honorably retired commissioned officer of the Texas Alcoholic Beverage Commission who is a special inspector or representative under Section 5.142, Alcoholic Beverage Code [~~may not be required to undergo training under Section 1701.352(b).~~]

(b) A person who is an ~~[An]~~ honorably retired commissioned officer described by Subsection (a) [~~of the Department of Public Safety who is a special ranger under Section 411.023, Government Code,~~] or a retired state employee and who holds a permanent license issued before January 1981 and that was current on January 1, 1995:

(1) has the same rights and privileges as any other peace officer of this state;

(2) holds, notwithstanding Section 1701.316, an active license unless the license is revoked, suspended, or probated by the commission for a violation of this chapter; and

(3) is not subject to Section 1701.351.

(c) An honorably retired commissioned

officer described by Subsection (a) [~~of the Department of Public Safety who is a special ranger under Section 411.023, Government Code, or who is a special Texas Ranger under Section 411.024, Government Code,~~] may not be required to undergo training under Section 1701.253 [~~1701.253(j)~~].

SECTION 2. This Act takes effect September 1, 2017.

SECTION 2. This Act takes effect August 28, 2017.