

BILL ANALYSIS

C.S.H.B. 3503
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Homeland Security & Public Safety
Committee Report (Substituted)

BACKGROUND AND PURPOSE

There have been calls for the state to do more to ensure that county jailers who need to carry a firearm in their official duties are properly trained to do so. C.S.H.B. 3503 seeks to answer these calls by providing for the development of a basic training program in the use of firearms by county jailers.

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. 3503 amends the Occupations Code to require the Texas Commission on Law Enforcement (TCOLE) to develop a basic training program in the use of firearms by county jailers. The bill sets out the required components of the training program and requires TCOLE to administer the program and to issue a certificate of firearms proficiency to each county jailer TCOLE determines has successfully completed the program. The bill authorizes a county jailer who is issued such a certificate and who maintains weapons proficiency as provided by the bill to carry a firearm during the course of performing duties as a county jailer, including while transporting persons confined in the county jail, and while traveling to or from the jailer's place of assignment.

C.S.H.B. 3503 requires an agency that employs one or more county jailers who have been issued a certificate of firearms proficiency under the bill's provisions to designate a firearms proficiency officer and require the jailers to demonstrate weapons proficiency to the officer at least annually. The bill requires the agency to maintain records of the weapons proficiency of the agency's jailers and establishes that a county jailer's failure to demonstrate weapons proficiency does not affect the jailer's license issued by TCOLE. The bill authorizes TCOLE, on request, to waive the requirement that a county jailer demonstrate weapons proficiency if TCOLE determines that the requirement causes a hardship.

EFFECTIVE DATE

On passage, or, if the bill does not receive the necessary vote, September 1, 2019.

COMPARISON OF ORIGINAL AND SUBSTITUTE

While C.S.H.B. 3503 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 includes a provision establishing that a county jailer's failure to demonstrate weapons proficiency does not affect the jailer's license.