

SUBJECT: Allocating funds from the law enforcement officer standards account

COMMITTEE: Public Safety — favorable, without amendment

VOTE: 8 ayes — Oakley, Driver, Carter, Keel, Madden, McClendon, Olivo, E. Reyna
0 nays
1 absent — Keffer

SENATE VOTE: On final passage, February 11 — 30-0

WITNESSES: None

BACKGROUND : By March 1 of each year, the comptroller disburses from the general revenue fund monies that have been deposited to the credit of the law enforcement officer standards and education account for expenses related to continuing education of peace officers. Twenty percent of the money is allocated to all local law enforcement agencies in the state in equal amounts; 80 percent is allocated based on the number of full-time peace officers in each locality. Counties and municipalities are required to conduct an annual audit of the law enforcement agencies over which they have jurisdiction and report those results to the comptroller within 90 days.

DIGEST: SB 187 would require each local law enforcement agency to report to the comptroller by November 1 of each year the number of positions in that agency as of January 1 of the year. The bill would delete the requirement that counties and municipalities conduct and report on annual audit of their law enforcement agencies.

The bill would take immediate effect if finally approved by a two-thirds record vote of the membership in each house and would apply only to the allocation of money deposited after 1996.

SUPPORTERS SAY: SB 187 would establish a clear and certain deadline for the comptroller to receive information on local law enforcement positions in order to make accurate and timely allocation of funds to participating agencies. The bill

would facilitate the process currently used to determine how continuing education funds will be distributed. In some instances sheriffs have inflated their workforces by reporting unauthorized personnel such as jailors. This bill would help prevent such occurrences by providing for a document trail.

SB 187 also would help save time and money by eliminating the requirement that cities and counties send audit results to the comptroller. The Comptroller's Office has no need for the information in these audits; it already has the capability of conducting audits in relation to monies collected for the continuing education account, and the State Auditor's Office is able to conduct audits for money spent.

The bill would not preclude any local law enforcement agency from receiving its annual allocation of money even if it sent the information in late. The payment would simply be delayed, not eliminated. Furthermore, the bill would not preclude any agency from amending or updating any information. It would simply require that information be sent to the comptroller by a certain date for money to be allocated in a timely fashion.

While the bill would not make a distinction between vacant and filled positions when allocating money, the law already provides that local law enforcement agencies that receive money must use it to ensure the continuing education of persons licensed under this chapter for the training of full-time, fully paid law enforcement personnel.

**OPPONENTS
SAY:**

SB 187 would not distinguish between vacant and filled positions. Money is allocated based on budgeted positions, meaning that a law enforcement agency could receive money for training for both vacant and filled positions.