

- SUBJECT:** Certification of county jailers for mental health assignments
- COMMITTEE:** Public Safety — favorable, without amendment
- VOTE:** 9 ayes — Merritt, Frost, Burnam, Driver, P. King, Lewis, Mallory Caraway, Rodriguez, Vo
- 0 nays
- WITNESSES:** For — Craig Pardue, Dallas County; (*Registered, but did not testify:* Chris Jones, Combined Law Enforcement Associations of Texas; Kathryn Lewis, Advocacy, Incorporated; Joe Lovelace, Texas Council of Community Mental Health and Mental Retardation Centers; Matt Simpson, American Civil Liberties Union of Texas; Katherine Zackel, Texans Care for Children)
- Against — None
- On — (*Registered, but did not testify:* Timothy Braaten, Texas Commission on Law Enforcement Officers Standards and Education)
- BACKGROUND:** Under Occupations Code, sec. 1701.404, the Texas Commission on Law Enforcement Officers Standards and Education (TCLEOSE) may certify a sheriff, sheriff's deputy, constable, or other peace officer, or a justice of the peace as a special officer for offenders with mental impairments.
- TCLEOSE may issue a professional achievement or proficiency certificate to an officer eligible to be certified as a special officer for offenders with mental impairments.
- The Occupations Code currently excludes county jailers from receiving this certification. County jailers may attend training, but cannot be certified.
- DIGEST:** HB 2093 would add county jailers to the list of persons the TCLEOSE could certify as a special officer for offenders with mental impairments. The commission could issue a professional achievement or proficiency certificate to a county jailer or a justice of the peace, in addition to the other officers to whom the certificate already may be issued.

HB 2093  
House Research Organization  
page 2

The bill would take effect on September 1, 2009, and would apply only to certifications made or issued on or after this date.

NOTES:

The companion bill, SB 1296 by Hegar, passed the Senate by 29-1 on April 24 and has been referred to the House Public Safety Committee.