

**SUBJECT:** Reactivating license of officers with 10 years of service and new training

**COMMITTEE:** Homeland Security & Public Safety — committee substitute recommended

**VOTE:** 8 ayes — Phillips, Nevárez, Burns, Johnson, Metcalf, Moody, M. White, Wray

1 nay — Dale

**WITNESSES:** For — Martin Cuellar, Fred Garza, Webb County Sheriff's Office; (*Registered, but did not testify:* David Sinclair, Game Warden Peace Officers Association; Bill Elkin, Houston Police Retired Officers Association; Lon Craft, TMPA)

Against — None

On — Kim Vickers, Texas Commission on Law Enforcement

**BACKGROUND:** Occupations Code, sec. 1701.316 requires the Texas Commission on Law Enforcement to adopt rules establishing requirements for reactivation of a peace officer's license after a break in employment. These rules appear in 37 Texas Administrative Code, Part 7, ch. 219.

Occupations Code, sec. 1701.351 requires peace officers to complete at least 40 hours of continuing education programs once every 24 months. The commission may suspend the license of a peace officer who does not comply.

**DIGEST:** CSHB 872 would require the Texas Commission on Law Enforcement to reactivate a peace officer's license after the officer had a break in employment if the former officer:

- had completed at least 10 years of full-time service as a peace officer in good standing before the break in employment;
- met current licensing standards;

- completed an online or in-person supplemental course of no more than 120 hours, as well as other in-person training requirements of up to 40 hours;
- passed a peace officer reactivation exam;
- filed an application; and
- paid any required fees.

This bill would take effect September 1, 2015, and would apply only to an application for reactivation of a license filed on or after that date.

**SUPPORTERS  
SAY:**

CSHB 872 would ensure that enough peace officers were available to fill an increasing number of vacancies by allowing qualified officers with many years of experience to reenter the force without having to go through the full police academy again. This would help compensate for the low numbers of new police academy graduates available to fill positions at understaffed state agencies.

Before reactivating peace officer licenses, the bill would ensure that all former officers were thoroughly trained on current practices and procedures by requiring them to pass a reactivation exam and to complete an extensive supplemental training course, as well as many hours of hands-on training. The officer re-entrance exam would be developed by the Texas Commission on Law Enforcement. The commission develops all exams for new officers and would ensure that the re-entrance exam adequately tested competency for reentry into the police force.

CSHB 872 also would save taxpayers tens of thousands of dollars in unnecessary duplication of training. The officers eligible to reenter the force under this bill would have at least ten years of service experience and long since would have completed a basic training course and many years of continuing education.

**OPPONENTS  
SAY:**

CSHB 872 would allow officers who had allowed their licenses to lapse and who might not have served in uniform for many years to reenter the force with only minimal training requirements of 120 hours, well below the 643 hours of training required for new officers.

Despite their many years of law enforcement experience, many officers allowed to re-enter the force under this bill would do so without the up-to-date experience and training necessary in such a dynamic profession. Each officer is required to complete 40 hours of continuing education every two years, so an officer who had been out of the service for many years might be hundreds of hours behind current officers on the latest training. The bill would not limit how many years an officer could have been out of service before trying to reenter the force with only minimal training. In addition, the re-entrance exam under CSHB 872 that officers would have to pass could be a scaled down version of the officer entrance exam and might not adequately test an officer's competence to reenter the force.