

SUBJECT: Establishing law enforcement accreditation requirement and grant program

COMMITTEE: Homeland Security & Public Safety — committee substitute recommended

VOTE: 7 ayes — Guillen, Jarvis Johnson, Bowers, Dorazio, Harless, Holland, Troxclair

0 nays

2 absent — Canales, Goodwin

SENATE VOTE: On final passage (April 19) — 30 - 1

WITNESSES: None (*Considered in formal meeting on April 26*)

BACKGROUND: Some have suggested that requiring more law enforcement agencies to become accredited could improve professionalism and performance in law enforcement statewide.

DIGEST: CSSB 267 would establish an accreditation requirement for law enforcement agencies and a grant program that provided financial assistance to agencies in meeting the requirement.

Accreditation rules. CSSB 267 would require the Texas Commission on Law Enforcement (TCOLE) to adopt rules requiring each law enforcement agency to become accredited and maintain accreditation through certain designated and approved accrediting entities. The rules would require a law enforcement agency that was not already accredited to execute a contract with an approved accrediting entity by September 1, 2027, and become accredited by September 1, 2029. The rules also would require TCOLE to implement a program to assist law enforcement agencies in becoming accredited.

The bill would require TCOLE to periodically review associations and organizations that established standards of practice for law enforcement

agencies and that offered accreditation to agencies that met those standards. On a majority vote of TCOLE that accreditation of law enforcement agencies in the state by an association or organization would benefit public safety, TCOLE could designate the association or organization as an accrediting entity.

A law enforcement agency would be required to annually report to TCOLE the agency's accreditation status, including the applicable accrediting entity. TCOLE would post on its website a list of all law enforcement agencies that were accredited or under contract with an accrediting entity at the time.

TCOLE would be required to adopt provisions relating to accreditation rules by December 1, 2023.

Grant program. CSSB 267 would require the comptroller to establish and administer the Law Enforcement Agency Accreditation Grant Program to provide financial assistance to each law enforcement agency that employed fewer than 250 peace officers for purposes of becoming accredited as required by the adopted TCOLE rules.

To be eligible to receive a grant, a law enforcement agency would be required to have executed a contract with and completed an initial assessment by the accrediting entity. Based on the results of the assessment, a law enforcement agency could request grant funds for reimbursement of an accreditation fee, staff overtime, or temporary staffing necessary to become accredited. A law enforcement agency could not receive more than one grant, the amount of which could not exceed \$30,000. Grant money provided under the bill could only be used by a law enforcement agency for the purposes of becoming accredited.

The bill would require the comptroller to establish eligibility criteria for grant applicants, grant amount guidelines, grant application procedures, and procedures for revoking and monitoring the use of a grant. The procedures for evaluating grant applications would include prioritizing applications from law enforcement agencies employing fewer than 100

peace officers.

By December 1 of each year, the comptroller would be required to submit to the Legislative Budget Board a report that provided certain information regarding grant applicants and recipients for the preceding state fiscal year. The comptroller could use any revenue available for these purposes.

Beginning September 1, 2029, a law enforcement agency would have to be accredited as provided by TCOLE's rules to be eligible to receive any grant supporting law enforcement operations or equipment acquisition administered by the comptroller other than a grant under the accreditation grant program. The comptroller would be required to establish the grant program by January 1, 2024.

The bill would take immediate effect if finally passed by a two-thirds record vote of the membership of each house. Otherwise, it would take effect September 1, 2023.

NOTES:

According to the Legislative Budget Board, CSSB 267 would have a negative impact of \$28,620,000 on general revenue related funds during fiscal 2024-25.