

All Published Pre-filed Amendments for HB 1550

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**The following 12 amendments were
published on 5/10/21 10:45 AM**



E870286

21 May-10 AM 09:29
HOUSE OF REPRESENTATIVES

FLOOR AMENDMENT NO. _____

BY: Cyrrier

Amend H.B. No. 1550 (house committee report) as follows:

(1) Strike page 5, line 26, through page 6, line 11.

(2) Add the following appropriately numbered SECTION to the bill and renumber subsequent SECTIONS of the bill accordingly:

SECTION _____. Section 1701.202, Occupations Code, is amended by amending Subsections (b) and (c) and adding Subsections (d) and (e) to read as follows:

(b) The commission shall provide a copy of each complaint to the license holder who is the subject of the complaint not later than the 14th day before the date any response is due, unless providing a copy of the complaint would jeopardize a criminal investigation. The commission may not require the license holder to request a copy of the complaint. The commission is not required to provide the identity of any nontestifying complainant under this subsection [~~On request, a license holder may obtain information regarding a complaint made against the license holder under this chapter, including a complete copy of the complaint file. On receipt of a request under this subsection, the commission shall provide the requested information in a timely manner to allow the license holder time to respond to the complaint~~].

(c) The commission shall provide to the complainant a copy of any response to the complaint the license holder provides not later than the 14th day after the date the commission receives the response, unless providing the copy would jeopardize a criminal

investigation or the act alleged in the complaint is not under the commission's jurisdiction. If the commission provides a copy of a response to a complainant, the commission shall include with the copy notice of the complainant's opportunity to rebut the license holder's response.

(d) The commission shall ensure that detailed information regarding the commission's complaint enforcement process described by this section is available on any publicly accessible Internet website and in any appropriate printed materials maintained by the commission.

(e) The commission shall make a reasonable effort to ensure that complaints submitted to the commission are not submitted anonymously. The commission shall use reasonable discretion in investigating and referring the investigation of anonymous complaints.



E870287

21 May-10 AM 09:30
HOUSE OF REPRESENTATIVES

BY: Cyrier

FLOOR AMENDMENT NO. _____

Amend H.B. No. 1550 (house committee report) by striking page 4, line 20, through page 5, line 25, and substituting the following:

Sec. 1701.167. EXAMINATION OF CERTAIN LICENSE HOLDERS. (a)
This section applies only to a person licensed as an officer, county jailer, or telecommunicator.

(b) On request of the head of the law enforcement agency employing a license holder for whom a question has arisen regarding whether the license holder continues to meet the standards of Section 1701.306(a), the license holder shall submit to the law enforcement agency a report from the license holder's personal physician, psychiatrist, or psychologist, as appropriate, regarding whether the license holder meets those standards. If the report indicates that the license holder does not meet those standards, the agency head shall provide a copy of the report to the commission.

(c) If the agency head questions the report submitted under Subsection (b), the agency head shall appoint a physician, psychiatrist, or psychologist, as appropriate, to examine the license holder and submit a report to the agency head and the license holder regarding whether the license holder meets the standards of Section 1701.306(a). The license holder shall submit to an examination under this subsection.

(d) If the report of the physician, psychiatrist, or psychologist appointed under Subsection (c) disagrees with the

report of the license holder's personal physician, psychiatrist, or psychologist under Subsection (b), the agency head shall appoint a three-member board composed of a physician, a psychiatrist, and a psychologist, or any combination, to examine the license holder and submit a report to the agency, the license holder, and the commission regarding whether the license holder meets the standards of Section 1701.306(a). The license holder shall submit to an examination under this subsection.

(e) The license holder shall pay the cost of the services of the person's personal physician, psychiatrist, or psychologist, as appropriate. The employing law enforcement agency shall pay all other costs.

(f) If the license holder refuses to submit to any examination required under this section, including a refusal that results in the license holder's termination or in the license holder's resignation or retirement in lieu of submitting to the examination:

(1) the employing law enforcement agency shall report the refusal to the commission; and

(2) the commission shall issue an order requiring the license holder to show cause for the refusal at a hearing.

(g) At the hearing, the license holder may appear in person and by counsel and present evidence to justify the license holder's refusal to submit to an examination required under this section. After the hearing, if the license holder fails to demonstrate good cause for refusal, the commission shall issue an order requiring the license holder to submit to the required examination.

(h) The commission shall suspend the license of a license holder:

(1) who fails to comply with an order to submit to an examination under Subsection (g); or

(2) for whom the results of an examination required under this section show that the person does not meet the standards of Section 1701.306(a).

(i) Records relating to a request, order, hearing, or examination under this section are confidential and not subject to disclosure under Chapter 552, Government Code.



E870288

21 May-10 AM 09:30
HOUSE OF REPRESENTATIVES

FLOOR AMENDMENT NO. _____

BY: Cyrrier

Amend H.B. No. 1550 (house committee report) as follows:

- (1) On page 10, line 17, strike "; COMPOSITION".
- (2) On page 10, line 23, strike "and".
- (3) On page 10, line 24, between "officials" and the underlined comma, insert ", and business leaders".
- (3) On page 10, line 20, strike "17" and substitute "20".
- (4) On page 11, line 14, strike "and".
- (5) On page 11, line 16, between "designee" and the

underlined period, insert the following:

i

(C) the director of the Texas A&M Engineering Extension Service or the director's designee;

(D) the president of the Sheriffs' Association of Texas or the president's designee; and

(E) the president of the Texas Police Chiefs Association or the president's designee

(5) On page 11, between lines 24 and 25, insert the following:

(d) The chair of the panel may employ staff for purposes of carrying out the panel's duties under this subchapter.

(e) The panel may seek and accept gifts, grants, and donations from public or private sources, including any available federal funds, to accomplish the purposes of this subchapter.



E870289

21 May-10 AM 09:30
HOUSE OF REPRESENTATIVES

FLOOR AMENDMENT NO. _____

BY: Cyrrier

1 Amend H.B. No. 1550 (house committee report) as follows:

2 (1) On page 4, strike lines 4 through 19 and substitute the
3 following:

4 Sec. 1701.166. AUTHORITY TO ISSUE ADMINISTRATIVE SUBPOENA.

5 (a) The commission may issue a subpoena as provided by this
6 section.

7 (b) The commission may request and, if necessary, compel by
8 subpoena:

9 (1) the production for inspection and copying of
10 records, documents, and other evidence relevant to the
11 investigation of an alleged violation of this chapter or a
12 commission rule, other than a document described by Section
13 1701.457; and

14 (2) the attendance of a witness for examination under
15 oath.

16 (c) A subpoena under this section may be issued throughout
17 this state and may be served by any person designated by the
18 commission.

19 (d) The commission, acting through the attorney general,
20 may bring an action to enforce a subpoena issued under this section
21 against a person who fails to comply with the subpoena.

22 (e) Venue for an action brought under this section is in a
23 district court in:

24 (1) Travis County; or

25 (2) any county in which the commission may hold a
26 hearing.

27 (f) The court shall order compliance with the subpoena if
28 the court finds that good cause exists to issue the subpoena.

29 (2) Add the following appropriately numbered SECTION to the

1 bill and renumber subsequent SECTIONS of the bill accordingly:

2 SECTION _____. Section 1701.160, Occupations Code, is
3 amended to read as follows:

4 Sec. 1701.160. AUTHORITY TO COMMISSION INVESTIGATORS AS
5 PEACE OFFICERS; POLICY ON INVESTIGATIONS. (a) The commission may
6 commission certified peace officers as investigators employed by
7 the commission for the limited purpose of assisting the commission
8 in administering this chapter.

9 (b) The commission shall adopt a policy specifying the
10 circumstances under which:

11 (1) the staff of the commission, including a peace
12 officer employed by the commission, may investigate a violation of
13 this chapter, a commission rule, or any other ground for
14 disciplinary action under Subchapter K; and

15 (2) the commission shall refer an investigation of
16 alleged criminal misconduct by a license holder, other than a
17 violation described by Subdivision (1), to:

18 (A) the license holder's employing law
19 enforcement agency; or

20 (B) the Texas Rangers division of the Department
21 of Public Safety if:

22 (i) the license holder's employing law
23 enforcement agency refuses to conduct the investigation; or

24 (ii) the license holder is the head of a law
25 enforcement agency.

26 (c) On referral of an investigation under Subsection
27 (b)(2), the employing law enforcement agency or the Texas Rangers
28 division, as applicable, shall conduct the investigation and report
29 any findings to the commission.



E870280

21 May-9 PM 07:55
HOUSE OF REPRESENTATIVES

FLOOR AMENDMENT NO. _____

BY: Goodwin

1 Amend H.B. No. 1550 (house committee printing) by adding the
2 following appropriately numbered SECTION to the bill and
3 renumbering subsequent SECTIONS of the bill accordingly:

4 SECTION _____. Section 1701.4521(a), Occupations Code, is
5 amended to read as follows:

6 (a) The commission shall suspend the license of an officer
7 licensed under this chapter on notification that the officer has
8 been dishonorably discharged [~~if the officer has previously been~~
9 ~~dishonorably discharged from another law enforcement agency~~].



E870281

21 May-10 AM 01:11
HOUSE OF REPRESENTATIVES

BY: Goodwin

FLOOR AMENDMENT NO. _____

1

1 Amend H.B. No. 1550 (house committee printing) on page 14,
2 line 27, between "misconduct" and the underlined semicolon, by
3 inserting the following:

4 including whether to:

5 (i) require the commission to suspend an
6 officer's license following the officer's first dishonorable
7 discharge; and

8 (ii) establish grounds under which the
9 commission shall suspend or revoke an officer's license on a
10 determination by the commission that the license holder's
11 continued performance of duties as an officer constitutes a threat
12 to the public welfare



E870290

21 May-10 AM 09:51
HOUSE OF REPRESENTATIVES

FLOOR AMENDMENT NO. _____

BY: King of Hemphill

1 Amend H.B. No. 1550 (house committee report) as follows:

2 (1) On page 3, line 19, strike "and 1701.167" and substitute
3 ", 1701.167, and 1701.168".

4 (2) On page 5, between lines 25 and 26, insert the
5 following:

6 Sec. 1701.168. DUTIES OF LAW ENFORCEMENT AGENCY REGARDING
7 PEACE OFFICER MISCONDUCT; OFFENSE. (a) In this section, "law
8 enforcement agency" means an agency of this state or an agency of a
9 political subdivision of this state authorized by law to employ
10 peace officers.

11 (b) The commission by rule shall require the head of a law
12 enforcement agency or the head's designee to report to the
13 commission:

14 (1) each substantiated incident of misconduct by a
15 peace officer employed by the agency, including:

16 (A) a conviction for a criminal offense committed
17 in the course of performing the officer's duties;

18 (B) the use of excessive force against a person
19 suspected of committing an offense;

20 (C) conduct that constitutes a felony or a Class
21 A or B misdemeanor, regardless of whether the criminal offense is
22 prosecuted;

23 (D) sexual harassment involving physical contact
24 or misuse of official capacity;

25 (E) the misuse of official capacity or
26 misappropriation of property, including the misuse of a law
27 enforcement database or criminal records;

28 (F) an unprofessional relationship with a person
29 arrested, detained, or otherwise in the custody of the officer or

1 the law enforcement agency;

2 (G) any false statements made by the officer in
3 obtaining employment with the law enforcement agency;

4 (H) tampering with or fabricating physical
5 evidence of a criminal offense;

6 (I) tampering with a governmental record,
7 including making false statements in the record or altering,
8 destroying, or concealing the record;

9 (J) the receipt of a notice from the attorney
10 representing the state that the attorney will no longer accept
11 cases submitted for prosecution by the officer due to conduct by the
12 officer that would be required to be disclosed to a defendant under
13 Article 39.14, Code of Criminal Procedure, or the Texas
14 Disciplinary Rules of Professional Conduct; or

15 (K) engaging in conduct that would constitute
16 grounds for the attorney representing the state to provide a notice
17 described by Paragraph (J); and

18 (2) for each substantiated incident of misconduct
19 reported under Subdivision (1), whether the agency terminated or
20 took disciplinary action against the peace officer or permitted the
21 officer to retire or resign in lieu of termination for the
22 misconduct.

23 (c) The rules adopted under Subsection (b) must provide for
24 the manner in which the report is to be submitted to the commission,
25 including prescribing a form for use in reporting information under
26 this article.

27 (d) The commission shall make information reported to the
28 commission under this article accessible by all law enforcement
29 agencies in this state.

30 (e) The commission may make information regarding an
31 incident of misconduct that is reported to the commission under

1 this article available to a federal law enforcement agency that is
2 investigating the incident.

3 (f) Except as provided by Subsections (d) and (e), a report
4 submitted to the commission under this article is confidential and
5 not subject to disclosure under Chapter 552, Government Code.

6 (g) A law enforcement agency shall maintain a complete and
7 unredacted copy of each report submitted to the commission under
8 this section until at least the 20th anniversary of the date on
9 which the report is submitted.

10 (h) The commission shall maintain a copy of each report
11 submitted to the commission under this section until at least the
12 10th anniversary of the date on which the report is submitted.

13 (i) A person required to submit a report to the commission
14 under the rules adopted under this section commits an offense if the
15 person knowingly fails to submit the report. An offense under this
16 subsection is a Class B misdemeanor.

17 (3) Add the following appropriately numbered SECTIONS to
18 the bill and renumber subsequent SECTIONS of the bill accordingly:

19 SECTION _____. Chapter 810, Government Code, is amended by
20 adding Section 810.005 to read as follows:

21 Sec. 810.005. CERTAIN PEACE OFFICERS INELIGIBLE FOR
22 RETIREMENT ANNUITY. (a) In this section:

23 (1) "Governing body of a public retirement system" and
24 "public retirement system" have the meanings assigned by Section
25 802.001.

26 (2) "Governmental entity" means a unit of government
27 that is the employer of active members of a public retirement
28 system.

29 (3) "Peace officer" means a person who is elected,
30 appointed, or employed as a peace officer under Article 2.12, Code
31 of Criminal Procedure, Section 37.081 or 51.203, Education Code, or

1 other law.

2 (b) In accordance with Section 66, Article XVI, Texas
3 Constitution, and to the extent a public retirement system may
4 implement this section and remain a qualified plan under Section
5 401(a), Internal Revenue Code of 1986 (26 U.S.C. Section 401), this
6 section applies to a public retirement system with a member or
7 annuitant who holds a position as a peace officer with the
8 associated governmental entity of the system.

9 (c) Except as provided by Subsection (d), a member or
10 annuitant of a public retirement system is not eligible to receive a
11 service retirement annuity under the retirement system if the
12 person is convicted of a felony committed while employed by the
13 associated governmental entity and arising directly from the
14 member's or annuitant's official duties related to that employment.

15 (d) A public retirement system, on receipt of notice of a
16 conviction under Subsection (j), any similar notice of a conviction
17 of a felony from a United States district court or United States
18 attorney, or any other information that the retirement system
19 determines by rule is sufficient to establish a conviction of a
20 felony, shall suspend payments of a service retirement annuity to a
21 person the system determines is ineligible to receive the annuity
22 under Subsection (c). A person whose conviction is overturned on
23 appeal or who meets the requirements for innocence under Section
24 103.001(a)(2), Civil Practice and Remedies Code:

25 (1) is entitled to receive an amount equal to the
26 accrued total of payments and interest earned on the payments
27 withheld during the suspension period; and

28 (2) may resume receipt of annuity payments on payment
29 to the retirement system of an amount equal to the contributions
30 refunded to the person under Subsection (e).

31 (e) A member who is ineligible to receive a service

1 retirement annuity under Subsection (c) is entitled to a refund of
2 the member's service retirement annuity contributions, including
3 interest earned on those contributions. A refund under this
4 subsection is subject to an award of all or part of the member's
5 service retirement annuity contributions to a former spouse,
6 including as a just and right division of the contributions on
7 divorce, payment of child support, or payment of spousal
8 maintenance or contractual alimony or other order of a court.

9 (f) Benefits payable to an alternate payee under Chapter 804
10 who is recognized by a qualified domestic relations order
11 established before the effective date of this subsection are not
12 affected by a member's ineligibility to receive a service
13 retirement annuity under Subsection (c).

14 (g) On conviction of a member for a qualifying felony:

15 (1) a court may, in the same manner as in a divorce or
16 annulment proceeding, make a just and right division of the
17 member's service retirement annuity by awarding to the member's
18 spouse all or part of the community property interest in the annuity
19 forfeited by the member; and

20 (2) a court shall, if the member's service retirement
21 annuity was partitioned or exchanged by written agreement of the
22 spouses as provided by Subchapter B, Chapter 4, Family Code, before
23 the member's commission of the offense, award the annuity forfeited
24 by the member to the member's spouse as provided in the agreement.

25 (h) Ineligibility for a service retirement annuity under
26 this section does not impair a person's right to any other
27 retirement benefit for which the person is eligible.

28 (i) The governing body of a public retirement system shall
29 adopt rules and procedures to implement this section.

30 (j) A court shall notify the public retirement system of the
31 terms of a conviction of a person convicted of an offense described

1 by Subsection (c).

2 (k) Notwithstanding any other provision of this section, if
3 the spouse of a member convicted of a felony is convicted of the
4 felony as a party to the offense as defined by Section 7.01, Penal
5 Code, or of another qualifying offense arising out of the same
6 criminal episode as defined by Section 3.01, Penal Code, the spouse
7 forfeits the member's service retirement annuity and service
8 retirement contributions to the same extent as the member.

9 SECTION _____. Section 87.031(c), Local Government Code, is
10 amended to read as follows:

11 (c) For purposes of Subsection (a), "a misdemeanor
12 involving official misconduct" includes a misdemeanor under:

- 13 (1) Section 1701.168(i), Occupations Code; or
14 (2) Section 39.07, Penal Code.

15 SECTION _____. Section 1701.452(b), Occupations Code, is
16 amended to read as follows:

17 (b) The head of a law enforcement agency or the head's
18 designee shall include in the report required under Subsection (a)
19 ~~[a statement on whether the license holder was honorably~~
20 ~~discharged, generally discharged, or dishonorably discharged and,~~
21 ~~as required by the commission,]~~ an explanation of the circumstances
22 under which the person resigned, retired, or was terminated,
23 including a description of any disciplinary or performance issues
24 for which the person was discharged. ~~[For purposes of this~~
25 ~~subsection.~~

26 ~~[(1) "Honorably discharged" means a license holder~~
27 ~~who, while in good standing and not because of pending or final~~
28 ~~disciplinary actions or a documented performance problem, retired,~~
29 ~~resigned, or separated from employment with or died while employed~~
30 ~~by a law enforcement agency.~~

31 ~~[(2) "Generally discharged" means a license holder~~

1 ~~who:~~

2 [~~(A) was terminated by, retired or resigned from,~~
3 ~~or died while in the employ of a law enforcement agency and the~~
4 ~~separation was related to a disciplinary investigation of conduct~~
5 ~~that is not included in the definition of dishonorably discharged,~~
6 ~~or~~

7 [~~(B) was terminated by or retired or resigned~~
8 ~~from a law enforcement agency and the separation was for a~~
9 ~~documented performance problem and was not because of a reduction~~
10 ~~in workforce or an at-will employment decision.~~

11 [~~(3) "Dishonorably discharged" means a license holder~~
12 ~~who:~~

13 [~~(A) was terminated by a law enforcement agency~~
14 ~~or retired or resigned in lieu of termination by the agency in~~
15 ~~relation to allegations of criminal misconduct; or~~

16 [~~(B) was terminated by a law enforcement agency~~
17 ~~or retired or resigned in lieu of termination by the agency for~~
18 ~~insubordination or untruthfulness.]~~

19 SECTION _____. Section 1701.453, Occupations Code, is
20 amended to read as follows:

21 Sec. 1701.453. MAINTENANCE OF REPORTS [~~AND STATEMENTS~~].
22 The commission shall maintain a copy of each report [~~and statement~~]
23 submitted to the commission under this subchapter until at least
24 the 10th anniversary of the date on which the report [~~or statement~~]
25 is submitted.

26 SECTION _____. Section 1701.456, Occupations Code, is
27 amended to read as follows:

28 Sec. 1701.456. IMMUNITY FROM LIABILITY. (a) The
29 commission is not liable for civil damages for providing
30 information contained in a report [~~or statement~~] maintained by the
31 commission under this subchapter if the commission released the

1 information as provided by this subchapter.

2 (b) A law enforcement agency, agency head, or other law
3 enforcement official, or the political subdivision served by the
4 agency, is not liable for civil damages for a report made by that
5 agency or person if the report is made in good faith.

6 (c) An attorney representing the state, the office of the
7 attorney representing the state, or the political subdivision
8 served by the attorney is not liable for civil damages for a notice
9 described by Section 1701.168(b)(1)(J) if the notice was provided
10 by the attorney representing the state in good faith.

11 SECTION _____. Section 1701.501(a), Occupations Code, is
12 amended to read as follows:

13 (a) Except as provided by Subsection (d), the commission
14 shall revoke or suspend a license, place on probation a person whose
15 license has been suspended, or reprimand a license holder for:

16 (1) engaging in misconduct required to be reported to
17 the commission under rules adopted under Section 1701.168; or

18 (2) a violation of:

19 (A) [~~(1)~~] this chapter;

20 (B) [~~(2)~~] the reporting requirements provided by
21 Articles 2.132 and 2.134, Code of Criminal Procedure; or

22 (C) [~~(3)~~] a commission rule.

23 SECTION _____. The following provisions of the Occupations
24 Code are repealed:

25 (1) Section 1701.452(c); and

26 (2) Section 1701.4521.

27 SECTION _____. Not later than December 1, 2021, the Texas
28 Commission on Law Enforcement shall update the form for an
29 employment termination report as necessary to comply with Section
30 1701.452, Occupations Code, as amended by this Act.

31 SECTION _____. The changes in law made by this Act to

1 Subchapter J, Chapter 1701, Occupations Code, apply only to a
2 report required to be submitted under Section 1701.452, Occupations
3 Code, as amended by this Act, regarding a separation of a license
4 holder that occurs on or after December 1, 2021. A separation that
5 occurs before December 1, 2021, is governed by the law in effect
6 immediately before the effective date of this Act, and the former
7 law is continued in effect for that purpose.

8 SECTION _____. Section 1701.501(a), Occupations Code, as
9 amended by this Act, applies only to conduct that occurs on or after
10 the effective date of this Act. Conduct that occurs before the
11 effective date of this Act is governed by the law in effect on the
12 date the conduct occurred, and the former law is continued in effect
13 for that purpose.



E870277

21 May-9 PM 06:59
HOUSE OF REPRESENTATIVES

FLOOR AMENDMENT NO. _____

BY: King of Parker

1 Amend H.B. No. 1550 (house committee report) by adding the
2 following appropriately numbered SECTIONS to the bill and
3 renumbering the SECTIONS of the bill accordingly:

4 SECTION _____. Section 1701.253, Occupations Code, is
5 amended by adding Subsection (q) to read as follows:

6 (q) As part of the minimum curriculum requirements, the
7 commission shall require an officer to complete the education and
8 training program developed under Section 1701.269 on the laws
9 pertaining to forced abortions. An officer shall complete the
10 program not later than the last day of the first full continuing
11 education training period after the officer is licensed under this
12 chapter unless the officer completes the program as part of the
13 officer's basic training course.

14 SECTION _____. Subchapter F, Chapter 1701, Occupations Code,
15 is amended by adding Section 1701.269 to read as follows:

16 Sec. 1701.269. TRAINING ON LAWS PERTAINING TO FORCED
17 ABORTIONS. (a) The commission shall develop a one-hour education
18 and training program on the laws pertaining to forced abortions.

19 (b) The training must include instruction related to the
20 circumstances under which forced abortions commonly occur and the
21 rights of pregnant women, including minors.

22 (c) The commission shall regularly review the content of the
23 training program under this section and update the program as
24 necessary.

25 SECTION _____. Not later than December 1, 2021, the Texas
26 Commission on Law Enforcement shall establish the education and
27 training program required by Section 1701.269, Occupations Code, as
28 added by this Act.

29 SECTION _____. Section 1701.253(q), Occupations Code, as

1 added by this Act, applies only to a person who submits an
2 application for a peace officer license under Chapter 1701,
3 Occupations Code, on or after December 1, 2021. A person who
4 submits an application for a peace officer license under Chapter
5 1701, Occupations Code, before December 1, 2021, is governed by the
6 law in effect immediately before the effective date of this Act, and
7 the former law is continued in effect for that purpose.



E870278

21 May-9 PM 06:59
HOUSE OF REPRESENTATIVES

FLOOR AMENDMENT NO. _____

BY: King of Parker

1 Amend H.B. No. 1550 (house committee report) by adding the
2 following appropriately numbered SECTIONS to the bill and
3 renumbering the SECTIONS of the bill accordingly:

4 SECTION _____. Section 1701.451, Occupations Code, is
5 amended by amending Subsection (a-1) and adding Subsections (d) and
6 (e) to read as follows:

7 (a-1) A law enforcement agency that obtains a consent form
8 described by Subsection (a)(2)(B) shall make the person's
9 employment records available to a hiring law enforcement agency on
10 request. The commission by rule shall prescribe the manner by which
11 a law enforcement agency shall make a person's employment records
12 available to a hiring law enforcement agency. The rules must
13 provide appropriate security protections.

14 (d) A law enforcement agency that makes a person's
15 employment records available to a hiring law enforcement agency
16 under Subsection (a-1) shall provide a copy of the records to the
17 person.

18 (e) A law enforcement agency that obtains employment
19 records under this section may not disclose any information
20 contained in the records.

21 SECTION _____. Section 1701.456(b), Occupations Code, is
22 amended to read as follows:

23 (b) A law enforcement agency, agency head, or other law
24 enforcement official is not liable for civil damages for:

25 (1) a report made by that agency or person if the
26 report is made in good faith; or

27 (2) making a person's employment records available to
28 a hiring law enforcement agency under Section 1701.451(a-1).

29 SECTION _____. Subchapter J, Chapter 1701, Occupations Code,

1 is amended by adding Section 1701.459 to read as follows:

2 Sec. 1701.459. CERTAIN AGREEMENTS RELATED TO EMPLOYMENT
3 RECORDS PROHIBITED. A person licensed under this chapter may not
4 enter into an agreement with a law enforcement agency employing the
5 person under which the agency is prohibited from making the
6 person's employment records available to another law enforcement
7 agency under Section 1701.451(a-1).

8 SECTION _____. (a) Not later than December 1, 2021, the
9 Texas Commission on Law Enforcement shall adopt rules as necessary
10 to comply with Section 1701.451, Occupations Code, as amended by
11 this Act.

12 (b) Section 1701.451, Occupations Code, as amended by this
13 Act, applies only to the hiring of a person by a law enforcement
14 agency that occurs on or after December 1, 2021. The hiring of a
15 person by a law enforcement agency that occurs before that date is
16 governed by the law in effect immediately before the effective date
17 of this Act, and the former law is continued in effect for that
18 purpose.



E870279

21 May-9 PM 07:00
HOUSE OF REPRESENTATIVES

FLOOR AMENDMENT NO. _____

BY: King of Parker

1 Amend H.B. No. 1550 (house committee report) as follows:

2 (1) On page 3, line 19, strike "and 1701.167" and substitute
3 "1701.167, and 1701.168".

4 (2) On page 5, between lines 25 and 26, insert the
5 following:

6 Sec. 1701.168. LAW ENFORCEMENT AGENCY ACCREDITATION. (a)
7 The commission by rule shall require a law enforcement agency to
8 report to the commission whether the agency is:

9 (1) recognized through the Texas Police Chiefs
10 Association Law Enforcement Agency Best Practices Recognition
11 Program;

12 (2) accredited by the Commission on Accreditation for
13 Law Enforcement Agencies, Inc.; or

14 (3) accredited by an association or organization
15 designated by the commission under Subsection (c).

16 (b) The commission shall maintain on the commission's
17 Internet website a list of law enforcement agencies that are
18 recognized or accredited as described by Subsection (a).

19 (c) The commission shall periodically review associations
20 and organizations that establish standards of practice for law
21 enforcement agencies and that offer accreditation to agencies that
22 meet those standards. The commission may designate an association
23 or organization as an accrediting agency for purposes of Subsection
24 (a)(3) if the commission determines that accreditation of law
25 enforcement agencies in this state by the association or
26 organization would benefit public safety.

27 (3) Add the following appropriately numbered SECTION to the
28 bill and renumber subsequent SECTIONS of the bill accordingly:

29 SECTION _____. Not later than December 1, 2021, the Texas

1 Commission on Law Enforcement shall adopt the rules required by
2 Section 1701.168, Occupations Code, as added by this Act.



E870283

21 May-10 AM 09:08
HOUSE OF REPRESENTATIVES

FLOOR AMENDMENT NO. _____

BY: King of Parker

1 Amend H.B. No. 1550 (house committee report) by adding the
2 following appropriately numbered SECTIONS to the bill and
3 renumbering the SECTIONS of the bill accordingly:

4 SECTION _____. Subchapter D, Chapter 1701, Occupations Code,
5 is amended by adding Section 1701.168 to read as follows:

6 Sec. 1701.168. CERTAIN MODEL POLICIES. (a) In this
7 section, "no-knock entry" means a peace officer's entry, for the
8 purpose of executing a warrant, into a building or other place
9 without giving notice of the officer's authority or purpose before
10 entering.

11 (b) The commission, in consultation with the Bill Blackwood
12 Law Enforcement Management Institute of Texas and any other
13 interested parties selected by the commission, shall develop and
14 make available to all law enforcement agencies in this state model
15 policies and associated training materials regarding:

16 (1) the issuance of citations for misdemeanor
17 offenses, including traffic offenses, that are punishable by fine
18 only;

19 (2) the use of a no-knock entry by a peace officer; and

20 (3) preemployment investigations of peace officers
21 licensed under this chapter, including:

22 (A) the duties and responsibilities of a law
23 enforcement agency or governmental entity under Section 1701.303;

24 (B) the request, analysis, and use of any
25 employment termination report or criminal background check
26 information obtained under Section 1701.451; and

27 (C) any other information the commission
28 considers necessary to conduct a preemployment investigation of a
29 person.

1 SECTION _____. Not later than June 1, 2022, the Texas
2 Commission on Law Enforcement shall develop and make available the
3 model policies and associated training materials required by
4 Section 1701.168, Occupations Code, as added by this Act.



E870284

21 May-10 AM 09:10
HOUSE OF REPRESENTATIVES

FLOOR AMENDMENT NO. _____

BY: King of Parker

1 Amend H.B. No. 1550 (house committee report) as follows:

2 (1) On page 10, line 17, strike "; COMPOSITION".

3 (2) On page 10, line 20, strike "17" and substitute "21".

4 (3) On page 11, line 12, strike "and".

5 (4) On page 11, between lines 12 and 13, insert the following
6 appropriately numbered subdivisions and renumber subsequent
7 subdivisions accordingly:

8 () the president of the Sheriffs' Association of Texas
9 or the president's designee;

10 () the executive director of the Texas Police Chiefs
11 Association or the executive director's designee;

12 () the director of the Department of Public Safety or
13 the director's designee;

14 (5) On page 11, line 14, strike "and".

15 (6) On page 11, line 16, strike the underlined period and
16 substitute the following:

17 ; and

18 (C) the director of the Texas A&M Engineering
19 Extension Service or the director's designee.

20 (7) On page 11, strike line 22 and substitute the following:

21 (2) one peace officer who is a representative of an
22 association representing peace officers.

23 (8) On page 11, between lines 24 and 25, insert the following:

24 (d) The chair of the panel may employ staff for purposes of
25 carrying out the panel's duties under this subchapter.

1 (e) The panel may seek and accept gifts, grants, and
2 donations from public or private sources, including any available
3 federal funds, to accomplish the purposes of this subchapter.