

BILL ANALYSIS

Senate Research Center
81R25297 JSC-F

C.S.S.B. 1296
By: Hegar
Criminal Justice
4/19/2009
Committee Report (Substituted)

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

There is a shortage of officers who qualify to serve as special officers for offenders with mental impairments, and current law does not allow county jailers to serve as special officers for such offenders.

C.S.S.B. 1296 authorizes the Texas Commission on Law Enforcement Officer Standards and Education (TCLEOSE) to certify county jailers as special officers for offenders with mental impairments if they complete certain training and authorizes TCLEOSE to issue a professional achievement or proficiency certificate to a county jailer or justice of the peace who meets certain requirements.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 1701.404, Occupations Code, as follows:

Sec. 1701.404. CERTIFICATION OF OFFICERS FOR MENTAL HEALTH ASSIGNMENTS. (a) Makes no changes to this subsection.

(b) Authorizes the Texas Commission on Law Enforcement Officer Standards and Education (TCLEOSE) to certify a county jailer, among certain other persons, as a special officer for offenders with mental impairments if the person, rather than officer, completes certain training courses and an examination administered by TCLEOSE. Makes conforming and nonsubstantive changes.

(c) Authorizes TCLEOSE to issue a professional achievement or proficiency certificate to a county jailer or justice of the peace, in addition to an officer, who meets the requirements of Subsection (b).

SECTION 2. (a) Authorizes TCLEOSE to certify a county jailer as a special officer for offenders with mental impairments and issue a certificate to the county jailer if the county jailer meets the requirements of Section 1701.404(b), Occupations Code, as amended by this Act, regardless of whether the county jailer completed the required training and passed the examination before, on, or after the effective date of this Act.

(b) Authorizes TCLEOSE to issue a certificate under Section 1701.404(c), Occupations Code, as amended by this Act, to a justice of the peace who is certified as a special officer for offenders with mental impairments regardless of whether the justice of the peace was certified before, on, or after the effective date of this Act.

SECTION 3. Effective date: September 1, 2009.