

BILL ANALYSIS

Senate Research Center
85R12438 AAF-F

S.B. 1975
By: Whitmire
Criminal Justice
4/25/2017
As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

The Texas Peace Officers' Memorial Monument in the Texas Capitol Complex was dedicated on May 10, 1999, to serve as an official and proper repository for the names of Texas peace officers who have died in the line of duty. Since the monument was dedicated various groups have held ceremonies to honor fallen officers. The Combined Law Enforcement Associations of Texas and the Peace Officers Memorial Foundation of Texas have held a bi-annual ceremony during years the legislature meets in regular session for over 30 years. This ceremony has included a parade of law enforcement agency honor guards down Congress Avenue, culminating at the Capitol where the names of the fallen are read and the surviving families are honored. Some stakeholders believe that a formalized process needs to be in place to organize annual ceremonies and that these ceremonies should be officially sanctioned by the State of Texas in order to properly recognize the men and women who have made the ultimate sacrifice while serving the citizens of the state.

S.B. 1975 amends the Texas Peace Officers' Memorial Monument statute, Chapter 3105, Government Code, to include provisions related to the creation of a committee to plan, oversee, and facilitate annual ceremonies recognizing and honoring peace officers of the state who were killed in the line of duty. S.B. 1975 designates certain stakeholders and nonvoting state officials or their designees to serve on the committee. S.B. 1975 requires the committee to meet as needed to plan the ceremonies and also provides the authority for the committee to solicit and accept private donations to fund the ceremonies.

As proposed, S.B. 1975 amends current law relating to establishing the Texas Peace Officers' Memorial Ceremony Committee to recognize and honor peace officers who were killed in the line of duty.

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 the heading to Chapter 3105, Government Code, to read as follows:

CHAPTER 3105. TEXAS PEACE OFFICERS' MEMORIAL MONUMENT AND CEREMONY

SECTION 2. Amends Section 3105.002, Government Code, by adding Subdivision (2-a), to define "committee."

SECTION 3. Amends Section 3105.005(c), Government Code, to authorize money in the account to be used only for the purposes prescribed by Section 3105.004 (Maintenance of Monument), rather than by this chapter.

SECTION 4. Amends Chapter 3105, Government Code, by adding Sections 3105.006 and 3105.007, as follows:

Sec. 3105.006. TEXAS PEACE OFFICERS' MEMORIAL CEREMONY COMMITTEE.

(a) Provides that the Texas Peace Officers' Memorial Ceremony Committee (committee) is established to plan, oversee, and facilitate annual ceremonies recognizing and honoring peace officers of this state who were killed in the line of duty.

(b) Provides that the committee consists of the following members:

(1) a president, or the president's designee, of a law enforcement organization that:

(A) provides full service legal and political representation to law enforcement officers of this state;

(B) has at least 10,000 members paying dues, as provided by the organization's Internal Revenue Service Form 990 for the previous reporting period;

(C) has complied with all filing requirements of the Internal Revenue Service, the United States Department of Labor, and the secretary of state; and

(D) has a president and board of directors elected by the organization's members;

(2) a surviving spouse of a peace officer killed in the line of duty selected by the chapters of the Concerns of Police Survivors of this state;

(3) the following nonvoting members or designees of the members: the governor, the lieutenant governor, the speaker of the house of representatives, the Texas attorney general, the director of the Department of Public Safety, the executive director of the State Preservation Board, and the executive director of the Texas Commission on Law Enforcement.

Sec. 3105.007. TEXAS PEACE OFFICERS' MEMORIAL CEREMONY. (a) Requires the committee to meet as necessary to plan and coordinate an annual memorial ceremony on the Capitol grounds to honor Texas peace officers who were killed in the line of duty.

(b) Requires the committee to hold the ceremony on a date selected by the committee during the week in which May 8 occurs.

(c) Requires the committee and the organizations represented on the committee to solicit and accept private donations to fund the ceremony.

(d) Requires that the ceremony, each odd-numbered year, include a parade of law enforcement color guards and personnel ending at the Capitol and a ceremony held during a joint session on the floor of the house of representatives, if possible.

(e) Requires that the name of each peace officer who was killed in the line of duty since the previous ceremony under Subsection (d), during the ceremony under subsection (d)(2) (relating to requiring that the ceremony include a certain ceremony during a joint session of the legislature each odd-numbered year, if possible) be read and requires that the surviving family members of the peace officer be recognized.

SECTION 5. Effective date: September 1, 2017.