

## **BILL ANALYSIS**

Senate Research Center  
86R33814 SRA-D

C.S.H.B. 2584  
By: Cortez (Menéndez)  
Criminal Justice  
5/16/2019  
Committee Report (Substituted)

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

C.S.H.B. 2584 amends current law relating to the authority of a code enforcement officer performing official duties to possess or carry an instrument used for deterring an animal bite.

### **RULEMAKING AUTHORITY**

Rulemaking authority previously granted to the Texas Commission of Licensing and Regulation is modified in SECTION 3 (Section 1952.1051, Occupations Code) of this bill.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Section 46.15, Penal Code, by adding Subsection (h), as follows:

(h) Provides that the provisions of Sections 46.02 (Unlawful Carrying Weapons) and 46.03 (Places Weapons Prohibited) prohibiting the possession or carrying of a club do not apply to a code enforcement officer who:

- (1) holds a certificate of registration issued under Chapter 1952 (Code Enforcement Officers), Occupations Code; and
- (2) possesses or carries an instrument used specifically for deterring an animal bite while the officer is performing official duties or traveling to or from a place of duty.

SECTION 2. Amends Section 1952.051, Occupations Code, by adding Subsection (c) to require the education requirements adopted under Subsection (b) (relating to requiring the Texas Commission of Licensing and Regulation (TCLR) to adopt certain standards and education requirements for code enforcement officers) to include education regarding the principles and procedures to be followed when possessing or carrying an instrument used specifically for deterring an animal bite.

SECTION 3. Amends Section 1952.1051, Occupations Code, as follows:

Sec. 1952.1051. CONTINUING EDUCATION. Requires TCLR by rule to prescribe continuing education requirements for code enforcement officers and code enforcement officers in training that:

- (1) makes no changes to this subdivision;
- (2) establish an approved curriculum that includes material regarding changes in applicable law and the principles and procedures to be followed when possessing or carrying an instrument used specifically for deterring an animal bite; and
- (3) makes no changes to this subdivision.

SECTION 4. (a) Requires TCLR, as soon as practicable after the effective date of this Act, to adopt rules necessary to implement Sections 1952.051 and 1952.1051, Occupations Code, as amended by this Act.

(b) Requires a code enforcement officer to complete the education requirements described by Section 1952.051(c), Occupations Code, as added by this Act, before the officer is authorized to possess or carry an instrument used specifically for deterring an animal bite as provided by Section 46.15(h), Penal Code, as added by this Act.

SECTION 5. Effective date: September 1, 2019.