

## **BILL ANALYSIS**

Senate Research Center

S.B. 1397  
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Criminal Justice  
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Enrolled

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

Currently, retired peace officers who seek to retain their commission must complete a minimum of 40 hours every 24 months of continuing education. Special Rangers with the Department of Public Safety of the State of Texas (DPS) are already exempt from this requirement; S.B. 1397 establishes equity by exempting honorably retired special game wardens and Texas Alcoholic Beverage Commission (TABC) special inspectors as well.

In 2009, H.B. 2991 exempted an honorably retired commissioned officer of the DPS who is a special ranger or special Texas Ranger from the required continuing education. This created an inequality among other state peace officers who have fulfilled the same standards.

S.B. 1397 seeks to remedy this inequality by exempting the following officers from continued education: an honorably retired commissioned officer of the Texas Parks and Wildlife Department who is a special Game Warden and an honorably retired commissioned officer of TABC who is a special inspector.

Given that these peace officers normally have decades of public service experience in the field and retired from state service honorably, this required education is redundant and an unnecessary use of time and resources for the state and officers. Additionally, the class subjects are typically irrelevant to the new scope of work as retired commissioned officers, who often serve as mentors, ambassadors, or other roles that do not involve direct contact with the general public in the traditional law enforcement capacity.

S.B. 1397 keeps the exemption from H.B. 2991, adds mentioned peace officers, and reorganizes the statute. The effective date of August 26, 2019, allows currently retired officers to benefit from this exemption during this cycle. (Original Author's/Sponsor's Statement of Intent)

S.B. 1397 amends current law relating to exempting certain honorably retired peace officers from continuing education 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 1701.356, Occupations Code, as follows:

Sec. 1701.356. CERTAIN OFFICERS: REACTIVATION AND CONTINUING EDUCATION NOT REQUIRED. (a) Creates Subdivision (1) from existing text. Provides that an officer is not subject to Section 1701.351 (Continuing Education Required For Peace Officers) or 1701.352 (Continuing Education Programs) if the officer is:

(1) an honorably retired commissioned officer of the Department of Public Safety of the State of Texas (DPS) who is:

(A) makes nonsubstantive changes to this paragraph;

(B) a special Texas Ranger under Section 411.024 (Special Texas Rangers), Government Code;

(2) an honorably retired commissioned officer of the Texas Parks and Wildlife Department who is a special game warden under Section 11.0201 (Special Game Wardens), Parks and Wildlife Code; or

(3) an honorably retired commissioned officer of the Texas Alcoholic Beverage Commission who is a special inspector or representative under Section 5.142 (Special Inspectors or Representatives), Alcoholic Beverage Code.

(b) Provides that a person who is an honorably retired commissioner officer described by Subsection (a), rather than an honorably retired commissioned officer of DPS who is a special ranger under Section 411.023 (Special Rangers), Government Code, or a retired state employee and who holds a permanent license issued before January 1981 and that was current on January 1, 1995:

(1)–(3) makes no changes to these subdivisions.

(c) Prohibits an honorably retired commissioned officer described by Subsection (a) from being required to undergo training under Section 1701.253 (School Curriculum), rather than prohibiting an honorably retired commissioned officer of DPS who is a special ranger under Section 411.023, Government Code, or who is a special Texas Ranger under Section 411.024, Government Code, from being required to undergo training under Section 1701.253(j) (relating to requiring the Texas Commission on Law Enforcement to require an officer to complete 40 hours of certain continuing education training).

SECTION 2. Effective date: August 26, 2019.