

- SUBJECT:** Extending state death benefits to survivors of certain peace officers
- COMMITTEE:** Homeland Security and Public Safety — favorable, without amendment
- VOTE:** 9 ayes — P. King, Nevárez, Burns, Hinojosa, Holland, J. Johnson, Metcalf, Schaefer, Wray
- 0 nays
- WITNESSES:** For — Paul Cordova, Rice University Police Department; Shane Sexton, St. Edward's University Police Department; Richard Shafer, Texas Association of College and University Police Administrators, Southern Methodist University; Steve McGee, Texas Christian University; (*Registered, but did not testify:* Chris Jones, Combined Law Enforcement Associations of Texas (CLEAT); Ray Martinez, Independent Colleges and Universities of Texas (ICUT); Micah Harmon and AJ Louderback, Sheriffs' Association of Texas; Mitch Landry, Texas Municipal Police Association (TMPA); James McLaughlin, Texas Police Chiefs Association; Gary Sargent, University of Mary Hardin-Baylor Police Department; Thomas Parkinson)
- Against — None
- BACKGROUND:** Government Code, ch. 615 governs financial assistance to eligible survivors of certain state or local government employees who died as a result of injury sustained in the line of duty, including certain law enforcement officers, firefighters, and others. The law calls for the state to pay a lump sum of \$500,000 per claim to an eligible surviving spouse, surviving children, or surviving parents, in that order.
- DIGEST:** HB 1526 would extend financial assistance to an eligible survivor of a peace officer employed by a private institution of higher education, including a private junior college, who died as a result of injury sustained in the line of duty.

The bill would take effect September 1, 2017, and would apply only to a

death that occurred on or after that date.

**SUPPORTERS
SAY:**

HB 1526 would close a gap in state law and allow eligible survivors of police officers employed by private colleges and universities to receive state death benefits. These officers are licensed by the Texas Commission on Law Enforcement, are vested with full law enforcement powers and responsibilities, and are subject to the same regulatory authority as officers who work for the state. Furthermore, these officers work for state-certified law enforcement agencies that are no different in authority, function, or responsibility than their public counterparts.

Police officers employed by private colleges and universities serve the public and encounter the same risk and dangers as any other peace officer. Through interagency agreements, campus police departments also have concurrent jurisdiction over surrounding areas and frequently are called to back up local law enforcement. If while responding to the same incident, both an officer employed by the state and an officer employed by a private institution were killed, under current law only the eligible survivors of the officer employed by the state would receive death benefits because neither the state nor an alternative fund would provide for the family of the officer employed by the private institution. By extending the same state death benefits to families of all police officers, HB 1526 would recognize that officers may differ in their places of employment but not in their duty to the public.

**OPPONENTS
SAY:**

It would be a shift in policy, under HB 1526, to extend state benefits to employees of a private institution. Private institutions also are likely to have life insurance policies for their employees that could help provide for families of fallen police officers.

NOTES:

According to the Legislative Budget Board's fiscal note, no significant fiscal impact to the state is anticipated due to the unpredictability of events that might lead to the payment of additional benefits. The Employees Retirement System estimated that two additional deaths would be eligible for financial assistance in the five years following the bill's implementation.