

BILL ANALYSIS

Senate Research Center
79R11890 KEG-F

H.B. 2239
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Transportation & Homeland Security
5/18/2005
Engrossed

AUTHOR'S/SPONSOR'S STATEMENT OF INTENT

H.B. 2239 gives Department of Public Safety officers an opportunity to earn more within their respective ranks without changing the uniform base pay scale. The supplemental pay is available to a peace officer who has obtained proficiency training from the Texas Commission on Law Enforcement Officers Standards and Education, a college degree, or proficiency in a second language, provided the officer has received homeland security training in the detection and prevention of domestic terrorist activities. This legislation calls for salary stipends based on monthly increments. Linking the additional compensation to domestic preparedness training of the peace officer provides the state with more educated and proficient officers and provides greater security against a potential domestic terrorism attack.

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 Chapter 421, Government Code, by adding Subchapter F, as follows:

SUBCHAPTER F. TRAINING

Sec. 421.101. DEFINITIONS. Defines "department" and "peace officer."

Sec. 421.102. HOMELAND SECURITY TRAINING COURSES; MINIMUM STANDARDS. (a) Requires the Department of Public Safety of the State of Texas (department) to adopt minimum standards for training courses in homeland security for peace officers.

(b) Requires the minimum standards to require a comprehensive training program on the detection of, prevention of, and response to certain domestic terrorist activities.

(c) Requires the department to review homeland security training courses offered by public and private entities in this state to determine whether a course meets the minimum standards developed by the department. Requires the department to approve appropriate homeland security training courses that meet the minimum standards developed by the department. Authorizes the department to also develop and offer its own homeland security training courses.

(d) Requires the department to maintain a list of courses offered or approved by the department under this section.

(e) Requires the Commission on Law Enforcement Officer Standards and Education (commission), at the request of the department, to provide certain assistance.

Sec. 421.103. HOMELAND SECURITY TRAINING CERTIFICATES; ISSUANCE AND RECORDKEEPING. (a) Requires the department to issue certain homeland security training certificates to a peace officer who, after January 1, 2003, completes the

appropriate homeland security training courses offered or approved by the department under Section 421.102.

(b) Provides that a homeland security training certificate issued under this section does not expire.

(c) Requires the commission to maintain an official record of each course completed and each certificate earned by an officer under this subchapter together with the commission's records of any continuing education requirements fulfilled by the officer in accordance with Section 1701.351 (Continuing Education Required for Peace Officers), Occupations Code. Requires the department to assist the commission with developing a plan for recordkeeping.

SECTION 2. Amends Subchapter A, Chapter 411, Government Code, by adding Sections 411.0161 through 411.0163, as follows:

Sec. 411.0161. SUPPLEMENTAL PAY FOR PROFICIENCY CERTIFICATION AND HOMELAND SECURITY TRAINING. (a) Entitles an officer commissioned by the department who has received certain proficiency certificates issued by the commission and homeland security training certificates issued by the department and maintained by the commission with the officer's training record to supplemental pay under this section in a certain amount.

(b) Entitles an officer, if the officer has been issued more than one of the proficiency certificates or homeland security training certificates described in Subsection (a), to only the amount of supplemental pay attributable to the most advanced combination of certificates issued to the officer as provided by Subsection (a).

(c) Provides that supplemental pay to an officer under this section is in addition to the officer's regular compensation for as long as the proficiency certification is in effect.

(d) Authorizes an officer who receives supplemental pay under this section to also receive additional supplemental pay under Section 411.0163 but not under Section 411.0162.

Sec. 411.0162. SUPPLEMENTAL PAY FOR HIGHER EDUCATION AND HOMELAND SECURITY TRAINING. (a) Entitles an officer commissioned by the department who has received certain higher education degrees, or equivalent hours, from an institution of higher education, as defined by Section 61.003 (Definitions), Education Code, and homeland security training certificates issued by the department and maintained by the commission with the officer's training record to supplemental pay under this section in a certain amount.

(b) Provides that supplemental pay to an officer under this section is in addition to the officer's regular compensation.

(c) Entitles an officer, if the officer has obtained more than one higher education degree, earned hours equivalent to more than one higher education degree, or has received more than one homeland security training certificate described in Subsection (a), to only the amount of supplemental pay attributable to the most advanced combination of degrees or certificates obtained by the officer as provided by Subsection (a).

(d) Authorizes an officer who receives supplemental pay under this section to also receive additional supplemental pay under Section 411.0163 but not under 411.0161.

Sec. 411.0163. SUPPLEMENTAL PAY FOR PROFICIENCY IN SECOND LANGUAGE AND HOMELAND SECURITY TRAINING. (a) Authorizes the

department to pay a supplement of not more than \$100 a month to an officer commissioned by the department who has received at least one homeland security training certificate issued by the department under Section 421.103 and maintained by the commission with the officer's training record who is proficient in both English and a second language, if certain conditions are satisfied.

(b) Provides that supplemental pay to an officer under this section is in addition to the officer's regular compensation.

(c) Authorizes an officer who receives supplemental pay under this section to also receive additional supplemental pay under Section 411.0161 or Section 411.0162.

SECTION 3. (a) Requires the department, not later than January 1, 2006, to develop minimum standards for appropriate homeland security training courses and certificates as required by Subchapter F, Chapter 421 (Homeland Security), Government Code, as added by this Act.

(b) Authorizes the department to issue a certificate under Section 421.103, Government Code, as added by this Act, for a course taken by a peace officer between January 1, 2003, and the date the department begins approving homeland security courses under Section 421.102, Government Code, as added by this Act, if the department begins approving courses under Section 421.102, Government Code, as added by this Act, and subsequently approves the course.

SECTION 4. Effective date: upon passage or September 1, 2005.