

BILL ANALYSIS

Senate Research Center
79R6389 KEG-F

H.B. 2574
By: Hamric (Whitmire)
Criminal Justice
5/19/2005
Engrossed

AUTHOR'S/SPONSOR'S STATEMENT OF INTENT

Under current law, all deputy constables are required to complete 20 hours of civil process training. The costs of this training include the constable's time, which is taken from other duties, and county money spent for this instruction. Exemption from this requirement is currently limited to hardship purposes, such as medical leave or military service.

H.B. 2574 provides an exemption for deputies whose duties do not involve civil process, eliminating the expenditure of personnel hours and county funds toward unnecessary training. The exemption does not apply to an elected constable.

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 1701.354(d), Occupations Code, to authorize the Commission on Law Enforcement Officer Standards and Education (commission) to waive the instruction requirements under this section for a deputy constable, if a constable requests a waiver for the deputy constable based on a representation that the deputy constable's duty assignment does not involve civil process responsibilities or for a constable or deputy constable, if the constable or deputy constable requests a waiver because of hardship and the commission determines that a hardship exists.

SECTION 2. Effective date: upon passage or September 1, 2005.