

BILL ANALYSIS

Senate Research Center

S.B. 30
By: West; Whitmire
Criminal Justice
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As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

S.B. 30 was developed with the goal of providing information to drivers, the public, and students, and also training for members of law enforcement, on the expectations that each should have during a contact between officers and motorists.

This information would include instructions to drivers on how they should react and communicate with officers during a traffic stop. The proper responses by the driving public would be included in training for new officers and continuing education courses for veteran patrol officers. Officers, in turn, would receive best practice instruction on their expected behaviors and reactions during a citizen contact. In addition, the same type information under S.B. 30 would be part of instructional materials taught to high school students and provided to driver training and driving safety course instructors.

The instructional materials will be developed through recommendations produced by a stakeholder workgroup convened during Fall 2016. The stakeholder workgroup consisted of representatives from law enforcement administration and officer groups, cities, and advocacy organizations. Instructional and training materials will be developed from the recommendations by the State Board of Education, the Texas Commission on Law Enforcement, and the Texas Commission of Licensing and Regulation.

The recommendations found in S.B. 30 include information pertaining to: the duties and responsibilities of peace officers, citizens' rights during interactions with law enforcement, the proper behaviors for police and drivers during a traffic stop, and how citizens would file a complaint against or recognize the actions of an officer.

S.B. 30 has the goal of lessened tensions and anxieties that may arise during interactions between officers and citizens during traffic stops and other encounters that could lead to undesired outcomes.

As proposed, S.B. 30 amends current law relating to inclusion of instruction regarding interaction with peace officers in the required curriculum for certain public school students and in driver education courses and to civilian interaction training for peace officers.

RULEMAKING AUTHORITY

Rulemaking authority is expressly granted to the State Board of Education in SECTION 2 (Section 28.025, Education Code) of this bill.

Rulemaking authority is expressly granted to the Texas Commission on Licensing and Regulation in SECTION 3 (Section 1001.109, Education Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Subchapter A, Chapter 28, Education Code, by adding Section 28.012, as follows:

Sec. 28.012. INSTRUCTION ON INTERACTION WITH LAW ENFORCEMENT.
(a) Defines "board" and "commission."

(b) Requires the State Board of Education (SBOE) and the Texas Commission on Law Enforcement (TCOLE) to enter into a memorandum of understanding that establishes each agency's respective responsibilities in developing instruction, including curriculum and instructional modules, on proper interaction with peace officers during traffic stops and other in-person encounters. Requires the instruction to be based on recommendations made by the Stakeholder Task Force on Police and Citizen Interactions (task force) convened for that purpose and include certain information.

(c) Authorizes SBOE and TCOLE to consult with any interested party in developing the instruction.

(d) Requires SBOE and TCOLE, before finalizing any instruction, to provide a reasonable period for public comment.

(e) Requires a local district or open-enrollment charter school to offer this instructional module on proper interaction with peace officers during traffic stops and other in-person encounters. Authorizes a district or open-enrollment charter to offer this instructional module as part of another required curriculum in Section 28.002(a)(1) (relating to the requirement that each school district that offers kindergarten through grade 12 offer students a certain foundation curriculum).

SECTION 2. Amends Section 28.025, Education Code, by adding Subsection (b-20), to require SBOE to adopt rules to include the instruction developed under Section 28.012 in the required curriculum for students in grade levels 9 through 12.

SECTION 3. Amends Subchapter C, Chapter 1001, Education Code, by adding Section 1001.109, as follows:

Sec. 1001.109. INFORMATION RELATING TO TRAFFIC STOPS. (a) Requires the Texas Commission of Licensing and Regulation (TCLR), by rule, to require that information relating to law enforcement procedures for traffic stops be included in the curriculum of each driver education course and driving safety course. Requires the curriculum to be based on recommendations made by the task force convened for that purpose and include a demonstration of the proper actions to be taken during a traffic stop and certain other information.

(b) Requires TCLR to develop instructional and testing materials for the curriculum described by Subsection (a).

SECTION 4. Amends Section 1701.253, Occupations Code, by adding Subsection (n), as follows:

(n) Requires TCOLE, as part of the minimum curriculum requirements, to require an officer to complete the civilian interaction training program developed under Section 1701.268. Requires an officer to complete the program not later than the second anniversary of the date the officer is licensed under this chapter (Law Enforcement Officers) unless the officer completes the program as part of the officer's basic training course.

SECTION 5. Amends Subchapter F, Chapter 1701, Occupations Code, by adding Section 1701.268, as follows:

Sec. 1701.268. CIVILIAN INTERACTION TRAINING PROGRAM. (a) Defines "board."

(b) Requires TCOLE and SBOE to enter into a memorandum of understanding that establishes each agency's respective responsibilities in developing a training program, including training and testing materials, on proper interaction with

civilians during traffic stops and other in-person encounters. Requires the training program to be based on recommendations made by the task force convened for that purpose and include certain information.

(c) Authorizes TCOLE and SBOE to consult with any interested party in developing the training program.

(d) Requires TCOLE and SBOE, before finalizing a training program, to provide a reasonable period for public comment.

SECTION 6. (a) Requires SBOE and TCOLE, not later than September 1, 2018, to develop the instruction required under Section 28.012, Education Code, as added by this Act and the training program required under Section 1701.268, Occupations Code, as added by this Act.

(b) Provides that Section 28.025(b-20), Educations Code, as added by this Act, applies beginning with the 2018-2019 school year.

(c) Requires a peace officer or reserve law enforcement officer who holds a license under Chapter 1701, Occupations Code, issued on or before January 1, 2018, to complete a training program established under Section 1701.268, Occupations Code, as added by this Act, not later than January 1, 2020.

SECTION 7. Effective date: September 1, 2017.