

By: Driver

H.B. No. 1158

A BILL TO BE ENTITLED

AN ACT

relating to the composition of the Commission on Law Enforcement Officer Standards and Education.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 1701.051(a), Occupations Code, is amended to read as follows:

(a) The Commission on Law Enforcement Officer Standards and Education is an agency of this state and consists of nine members appointed by the governor with the advice and consent of the senate as follows:

(1) one member who is a sheriff;

(2) one member who is a constable;

(3) one member who is a chief [~~three members who are sheriffs, constables, or chiefs~~] of police;

(4) [~~2~~] three members who:

(A) are licensed under this chapter, two of whom are peace officers who, at the time of appointment, hold nonsupervisory positions with a law enforcement agency; and

(B) have been licensed under this chapter for the five years preceding the date of appointment; and

(5) [~~3~~] three members who represent the public.

SECTION 2. Section 1701.054(a), Occupations Code, is amended to read as follows:

(a) Appointed commission members serve staggered six-year

1 terms. Every two years:

2 (1) the term of the member [~~one of the members~~]
3 appointed under Section 1701.051(a)(1), (2), or (3), as
4 appropriate, [~~1701.051(a)(1)~~] expires;

5 (2) the term of one of the members appointed under
6 Section 1701.051(a)(4) [~~1701.051(a)(2)~~] expires; and

7 (3) the term of one of the members appointed under
8 Section 1701.051(a)(5) [~~1701.051(a)(3)~~] expires.

9 SECTION 3. (a) The changes in law made by this Act in the
10 qualifications of members of the Commission on Law Enforcement
11 Officer Standards and Education do not affect the entitlement of a
12 member serving on the commission immediately before the effective
13 date of this Act to continue to carry out the commission's functions
14 for the remainder of the member's term. The changes in law apply
15 only to a member appointed on or after the effective date of this
16 Act. This Act does not prohibit a person who is a member of the
17 commission on the effective date of this Act from being reappointed
18 to the commission if the person has the qualifications required for
19 a member under Section 1701.051(a), Occupations Code, as amended by
20 this Act.

21 (b) As soon as possible on or after the effective date of
22 this Act, as the terms of members of the Commission on Law
23 Enforcement Officer Standards and Education expire or as vacancies
24 occur, the governor shall appoint members to the commission so that
25 the commission is composed in accordance with Section 1701.051(a),
26 Occupations Code, as amended by this Act.

27 SECTION 4. This Act takes effect immediately if it receives

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1 a vote of two-thirds of all the members elected to each house, as
2 provided by Section 39, Article III, Texas Constitution. If this
3 Act does not receive the vote necessary for immediate effect, this
4 Act takes effect September 1, 2003.