

By: McReynolds

H.B. No. 1333

A BILL TO BE ENTITLED

AN ACT

relating to the provision of state death benefits to certain employees of the Texas Forest Service.

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

SECTION 1. Section 615.003, Government Code, is amended to read as follows:

Sec. 615.003. APPLICABILITY. This chapter applies only to eligible survivors of the following individuals:

(1) an individual elected, appointed, or employed as a peace officer by the state or a political subdivision of the state under Article 2.12, Code of Criminal Procedure, or other law;

(2) a paid probation officer appointed by the director of a community supervision and corrections department who has the duties set out in Section 76.002 and the qualifications set out in Section 76.005, or who was appointed in accordance with prior law;

(3) a parole officer employed by the pardons and paroles division of the Texas Department of Criminal Justice who has the duties set out in Section 508.001 and the qualifications set out in Section 508.113 or in prior law;

(4) a paid jailer;

(5) a member of an organized police reserve or auxiliary unit who regularly assists peace officers in enforcing criminal laws;

(6) a member of the class of employees of the

1 institutional division or the state jail division of the Texas
2 Department of Criminal Justice formally designated as custodial
3 personnel under Section 615.006 by the Texas Board of Criminal
4 Justice or its predecessor in function;

5 (7) a jailer or guard of a county jail who is appointed
6 by the sheriff and who:

7 (A) performs a security, custodial, or
8 supervisory function over the admittance, confinement, or
9 discharge of prisoners; and

10 (B) is certified by the Commission on Law
11 Enforcement Officer Standards and Education;

12 (8) a juvenile correctional employee of the Texas
13 Youth Commission;

14 (9) an employee of the [~~Texas~~] Department of State
15 Health Services or the Department of Aging and Disability Services
16 [~~Mental Health and Mental Retardation~~] who:

17 (A) works at the Department of State Health
18 Services' [~~department's~~] maximum security unit; or

19 (B) performs on-site services for the Texas
20 Department of Criminal Justice;

21 (10) an individual who is employed by the state or a
22 political or legal subdivision and is subject to certification by
23 the Texas Commission on Fire Protection;

24 (11) an individual employed by the state or a
25 political or legal subdivision whose principal duties are aircraft
26 crash and rescue fire fighting;

27 (12) a member of an organized volunteer fire-fighting

1 unit that:

2 (A) renders fire-fighting services without
3 remuneration; and

4 (B) conducts a minimum of two drills each month,
5 each two hours long;

6 (13) an individual who:

7 (A) performs emergency medical services or
8 operates an ambulance;

9 (B) is employed by a political subdivision of the
10 state or is an emergency medical services volunteer as defined by
11 Section 773.003, Health and Safety Code; and

12 (C) is qualified as an emergency care attendant
13 or at a higher level of training under Section 773.046, 773.047,
14 773.048, 773.049, or 773.0495, Health and Safety Code; ~~or~~

15 (14) an individual who is employed or formally
16 designated as a chaplain for:

17 (A) an organized volunteer fire-fighting unit or
18 other fire department of this state or of a political subdivision of
19 this state;

20 (B) a law enforcement agency of this state or of a
21 political subdivision of this state; or

22 (C) the Texas Department of Criminal Justice; or

23 (15) an employee of the Texas Forest Service who:

24 (A) is assigned fire-fighting, fire-prevention,
25 rescue, or incident management duties; and

26 (B) meets or is scheduled to meet the applicable
27 qualifications and training guidelines established by the National

1 Wildfire Coordinating Group for the performance of the employee's
2 assigned duties.

3 SECTION 2. The change in law made by this Act relating to
4 the death of certain employees of the Texas Forest Service applies
5 only in relation to a death that occurs on or after the effective
6 date of this Act. Matters regarding eligibility, payment, and
7 benefits under Chapter 615, Government Code, in relation to a death
8 that occurs before the effective date of this Act are governed by
9 the law in effect when the death occurs, and the former law is
10 continued in effect for that purpose.

11 SECTION 3. This Act takes effect September 1, 2005.