

By: Ellis

S.B. No. 660

A BILL TO BE ENTITLED

AN ACT

relating to domestic preparedness training programs for certain law enforcement officers.

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

SECTION 1. Subchapter F, Chapter 1701, Occupations Code, is amended by adding Section 1701.258 to read as follows:

Sec. 1701.258. DOMESTIC PREPAREDNESS TRAINING PROGRAMS FOR LAW ENFORCEMENT OFFICERS. (a) In this section:

(1) "Domestic preparedness training" means training for law enforcement personnel that relates to:

(A) preparing to respond and responding to weapons of mass destruction;

(B) identifying and disposing of unexploded weaponry; or

(C) managing, preparing to respond to, and responding to a terrorist incident.

(2) "Law enforcement department" means:

(A) the Department of Public Safety of the State of Texas; and

(B) a department of a municipality, county, port authority, navigation district, or airport authority that:

(i) employs persons who are certified by the commission as peace officers; and

(ii) has jurisdiction that includes a

1 seaport or an airport that services a commercial airline carrier.

2 (b) Subject to available funding, a law enforcement
3 department shall implement a program of domestic preparedness
4 training for its law enforcement officers that includes
5 instructional or informational domestic preparedness training
6 courses certified by the commission.

7 (c) After notifying the office of the governor in accordance
8 with Section 421.072(b), Government Code, the commission shall
9 apply for federal funding available for domestic preparedness
10 training of law enforcement officers. If the commission obtains a
11 federal grant for domestic preparedness training of law enforcement
12 officers, the commission shall:

13 (1) develop requirements and procedures for domestic
14 preparedness training courses to be certified by the commission,
15 including requirements for sponsors and curriculum, that are
16 consistent with the governor's homeland security strategy
17 developed under Chapter 421, Government Code;

18 (2) review and certify appropriate domestic
19 preparedness training courses that meet the commission's
20 requirements and procedures for certification;

21 (3) not later than February 1 of each year, allocate to
22 law enforcement departments federal grant money to assist the
23 departments in implementing domestic preparedness training
24 programs under this section; and

25 (4) provide other appropriate assistance to law
26 enforcement departments to assist the departments in implementing
27 domestic preparedness training programs under this section.

1 (d) The commission in consultation with and subject to the
2 direction of the office of the governor shall administer a grant
3 program under this section in accordance with federal and state
4 guidelines. The commission may not use more than three percent of
5 the grant funds for administration of the grant program.

6 (e) A law enforcement department shall, on request of the
7 commission, provide timely information to help the commission
8 determine the appropriate allocation of funding under this section
9 for that department.

10 (f) The head of a law enforcement department shall maintain
11 a complete and detailed written record of any federal money related
12 to domestic preparedness training that the law enforcement
13 department receives from the commission and is required to spend in
14 accordance with this section. The commission may audit any funding
15 received under this section by a law enforcement department for a
16 domestic preparedness training program. The state auditor may
17 audit any money spent by a law enforcement department for a domestic
18 preparedness training program under this section.

19 SECTION 2. Unless otherwise instructed by the office of the
20 governor, not later than January 1, 2006, the Commission on Law
21 Enforcement Officer Standards and Education shall:

22 (1) apply for federal funding available for domestic
23 preparedness training of law enforcement officers as required by
24 Section 1701.258, Occupations Code, as added by this Act;

25 (2) develop procedures to administer a federal grant
26 program for domestic preparedness training of law enforcement
27 officers in accordance with that section; and

1 (3) develop requirements and procedures for
2 certification of appropriate domestic preparedness training
3 courses as required by that section.

4 SECTION 3. Not later than March 1, 2006, the Commission on
5 Law Enforcement Officer Standards and Education shall review and
6 certify appropriate domestic preparedness training courses
7 available through Texas A&M University's Texas Engineering
8 Extension Service and its National Emergency Response and Rescue
9 Training Center that meet the requirements and procedures for
10 certification developed by the commission.

11 SECTION 4. This Act takes effect immediately if it receives
12 a vote of two-thirds of all the members elected to each house, as
13 provided by Section 39, Article III, Texas Constitution. If this
14 Act does not receive the vote necessary for immediate effect, this
15 Act takes effect September 1, 2005.