

By: Van de Putte

S.B. No. 1249

A BILL TO BE ENTITLED

AN ACT

relating to homeland security training and supplemental pay for certain law enforcement officers.

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

SECTION 1. Chapter 421, Government Code, is amended by adding Subchapter F to read as follows:

SUBCHAPTER F. TRAINING

Sec. 421.101. DEFINITIONS. In this subchapter:

(1) "Department" means the Department of Public Safety of the State of Texas.

(2) "Peace officer" means a person elected, employed, or appointed as a peace officer under Article 2.12, Code of Criminal Procedure.

Sec. 421.102. HOMELAND SECURITY TRAINING COURSES; MINIMUM STANDARDS. (a) The department shall adopt minimum standards for training courses in homeland security for peace officers.

(b) The minimum standards shall require a comprehensive training program on the detection of, prevention of, and response to domestic terrorist activities including:

(1) managing a terrorism or weapons of mass destruction incident, including the fundamentals of an incident command structure;

(2) responding to terrorism threats;

(3) weapons of mass destruction hazards;

- 1 (4) weapons of mass destruction delivery devices and
2 methods;
3 (5) responding to hostage situations and barricaded
4 suspects in domestic terrorism situations;
5 (6) hazardous materials; and
6 (7) risk assessment of potential domestic terrorism
7 activities.

8 (c) The department shall review homeland security training
9 courses offered by public and private entities in this state to
10 determine whether a course meets the minimum standards developed by
11 the department. The department shall approve appropriate homeland
12 security training courses that meet the minimum standards developed
13 by the department. The department may also develop and offer its
14 own homeland security training courses.

15 (d) The department shall maintain a list of courses offered
16 or approved by the department under this section.

17 (e) At the request of the department, the Commission on Law
18 Enforcement Officer Standards and Education shall:

19 (1) provide the department with a list of all homeland
20 security training courses that the commission's records indicate
21 may be operating in this state; and

22 (2) assist the department with the development of
23 minimum standards under this section.

24 Sec. 421.103. HOMELAND SECURITY TRAINING CERTIFICATES;
25 ISSUANCE AND RECORDKEEPING. (a) The department shall issue the
26 following homeland security training certificates to a peace
27 officer who, after January 1, 2003, completes the appropriate

1 homeland security training courses offered or approved by the
2 department under Section 421.102:

3 (1) a level-one homeland security training
4 certificate to an officer who has completed eight hours of
5 training;

6 (2) a level-two homeland security training
7 certificate to an officer who has received a level-one certificate
8 and completed an additional eight hours of level-two training; and

9 (3) a level-three homeland security training
10 certificate to an officer who has received a level-two certificate
11 and completed an additional eight hours of level-three training.

12 (b) A homeland security training certificate issued under
13 this section does not expire.

14 (c) The Commission on Law Enforcement Officer Standards and
15 Education shall maintain an official record of each course
16 completed and each certificate earned by an officer under this
17 subchapter together with the commission's records of any continuing
18 education requirements fulfilled by the officer in accordance with
19 Section 1701.351, Occupations Code. The department shall assist the
20 commission with developing a plan for recordkeeping.

21 SECTION 2. Subchapter A, Chapter 411, Government Code, is
22 amended by adding Sections 411.0161 through 411.0163 to read as
23 follows:

24 Sec. 411.0161. SUPPLEMENTAL PAY FOR PROFICIENCY
25 CERTIFICATION AND HOMELAND SECURITY TRAINING. (a) An officer
26 commissioned by the department who has received the following
27 proficiency certificates issued by the Commission on Law

1 Enforcement Officer Standards and Education and homeland security
2 training certificates issued by the department and maintained by
3 the commission with the officer's training record is entitled to
4 supplemental pay under this section in an amount not to exceed:

5 (1) \$100 a month for an intermediate peace officer
6 proficiency certificate and a level-one homeland security training
7 certificate;

8 (2) \$200 a month for an advanced peace officer
9 proficiency certificate and a level-two homeland security training
10 certificate; or

11 (3) \$300 a month for a master peace officer
12 proficiency certificate and a level-three homeland security
13 training certificate.

14 (b) If an officer has been issued more than one of the
15 proficiency certificates or homeland security training
16 certificates described in Subsection (a), the officer is entitled
17 only to the amount of supplemental pay attributable to the most
18 advanced combination of certificates issued to the officer as
19 provided by Subsection (a).

20 (c) An officer who is entitled to supplemental pay under
21 this section is entitled to that pay in addition to the officer's
22 regular compensation for as long as the proficiency certification
23 is in effect.

24 (d) An officer who receives supplemental pay under this
25 section may also receive additional supplemental pay under Section
26 411.0162 or 411.0163.

27 Sec. 411.0162. SUPPLEMENTAL PAY FOR HIGHER EDUCATION AND

1 HOMELAND SECURITY TRAINING. (a) An officer commissioned by the
2 department who has received the following higher education degrees,
3 or equivalent hours, from an institution of higher education, as
4 defined by Section 61.003, Education Code, and homeland security
5 training certificates issued by the department and maintained by
6 the Commission on Law Enforcement Officer Standards and Education
7 with the officer's training record is entitled to supplemental pay
8 under this section in an amount not to exceed:

9 (1) \$100 a month for an associate's degree, or
10 equivalent hours, and a level-one homeland security training
11 certificate;

12 (2) \$200 a month for a bachelor's degree, or equivalent
13 hours, and a level-two homeland security training certificate; or

14 (3) \$300 a month for a master's or more advanced
15 degree, or equivalent hours, and a level-three homeland security
16 training certificate.

17 (b) An officer who is entitled to supplemental pay under
18 this section is entitled to that pay in addition to the officer's
19 regular compensation.

20 (c) If an officer has obtained more than one higher
21 education degree, earned hours equivalent to more than one higher
22 education degree, or has received more than one homeland security
23 training certificate described in Subsection (a), the officer is
24 entitled only to the amount of supplemental pay attributable to the
25 most advanced combination of degrees or certificates obtained by
26 the officer as provided by Subsection (a).

27 (d) An officer who receives supplemental pay under this

1 section may also receive additional supplemental pay under Section
2 411.0161 or 411.0163.

3 Sec. 411.0163. SUPPLEMENTAL PAY FOR PROFICIENCY IN SECOND
4 LANGUAGE AND HOMELAND SECURITY TRAINING. (a) The department may
5 pay a supplement of not more than \$100 a month to an officer
6 commissioned by the department who has received at least one
7 homeland security training certificate issued by the department
8 under Section 421.103 and maintained by the Commission on Law
9 Enforcement Officer Standards and Education with the officer's
10 training record who is proficient in both English and a second
11 language, if:

12 (1) the department determines that proficiency in the
13 second language is beneficial to protecting the public safety; and

14 (2) the officer is able to demonstrate proficiency in
15 the second language by demonstrating reading, writing, and
16 conversation skills as determined by the department.

17 (b) An officer who is entitled to supplemental pay under
18 this section is entitled to that pay in addition to the officer's
19 regular compensation.

20 (c) An officer who receives supplemental pay under this
21 section may also receive additional supplemental pay under Section
22 411.0161 or 411.0162.

23 SECTION 3. (a) Not later than January 1, 2006, the
24 Department of Public Safety of the State of Texas shall develop
25 minimum standards for appropriate homeland security training
26 courses and certificates as required by Subchapter F, Chapter 421,
27 Government Code, as added by this Act.

1 (b) The department may issue a certificate under Section
2 421.103, Government Code, as added by this Act, for a course taken
3 by a peace officer between January 1, 2003, and the date the
4 department begins approving homeland security courses under
5 Section 421.102, Government Code, as added by this Act, if the
6 department begins approving courses under Section 421.102,
7 Government Code, as added by this Act, and subsequently approves
8 that course.

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