

By: Harper-Brown

H.B. No. 3704

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to immigration law training for certain law enforcement  
3 officers.

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

5 SECTION 1. Section 1701.253, Occupations Code, is amended  
6 by adding Subsection (k) to read as follows:

7 (k) After September 1, 2008, as part of the minimum  
8 curriculum requirements, the commission shall require an applicant  
9 for a license as an officer under this chapter to complete  
10 immigration law training described by Section 1701.3522(b). Not  
11 later than the date prescribed by the commission, the applicant  
12 shall submit to the commission written certification from the  
13 appropriate federal agency that the applicant has completed  
14 immigration law training described by Section 1701.3522(b).

15 SECTION 2. Subchapter H, Chapter 1701, Occupations Code, is  
16 amended by adding Section 1701.3522 to read as follows:

17 Sec. 1701.3522. MEMORANDUM OF UNDERSTANDING; IMMIGRATION  
18 LAW TRAINING FOR CERTAIN LAW ENFORCEMENT OFFICERS. (a) In this  
19 section, "law enforcement officer" means an individual elected,  
20 appointed, or employed to serve as a peace officer for a  
21 governmental entity of this state under Article 2.12, Code of  
22 Criminal Procedure.

23 (b) The commission shall enter into a memorandum of  
24 understanding with Immigration and Customs Enforcement, a division

1 of the federal Department of Homeland Security, or its successor  
2 agency, to provide law enforcement officers with immigration law  
3 training under the supervision of Immigration and Customs  
4 Enforcement officers as provided by Section 287(g), Immigration and  
5 Nationality Act (8 U.S.C. Section 1357).

6 (c) The commission shall require a state, county, or  
7 municipal agency that appoints or employs law enforcement officers  
8 to make available to those officers immigration law continuing  
9 education training described by Subsection (b).

10 (d) The commission shall require a municipality to provide  
11 immigration law continuing education training described by  
12 Subsection (b) to not less than:

13 (1) two percent of the municipality's law enforcement  
14 officers, in a municipality with a population of 50,000 or more;

15 (2) one percent of the municipality's law enforcement  
16 officers, in a municipality with a population of 25,000 or more but  
17 not more than 49,999;

18 (3) 0.5 percent of the municipality's law enforcement  
19 officers, in a municipality with a population of 10,000 or more but  
20 not more than 24,999; and

21 (4) 0.25 percent of the municipality's law enforcement  
22 officers, in a municipality with a population of less than 10,000.

23 (e) The commission shall require a county to provide  
24 immigration law continuing education training described by  
25 Subsection (b) to not less than:

26 (1) two percent of the county's law enforcement  
27 officers, in a county with a population of more than 50,000;

1           (2) one percent of the county's law enforcement  
2 officers, in a county with a population of 25,001 or more but not  
3 more than 50,000;

4           (3) 0.5 percent of the county's law enforcement  
5 officers, in a county with a population of 10,001 or more but not  
6 more than 25,000;

7           (4) four of the county's law enforcement officers, in a  
8 county with a population of 5,000 or more but not more than 10,000;  
9 and

10           (5) two of the county's law enforcement officers, in a  
11 county with a population of less than 5,000.

12           (f) The commission shall adopt rules for the administration  
13 of this section.

14           SECTION 3. Section 96.641, Education Code, is amended by  
15 adding Subsection (n) to read as follows:

16           (n) After September 1, 2008, as part of the initial training  
17 and continuing education for police chiefs required under this  
18 section, the institute shall require a newly appointed or elected  
19 police chief to complete immigration law training described by  
20 Section 1701.3522(b).

21           SECTION 4. Not later than October 1, 2007, the Commission on  
22 Law Enforcement Officer Standards and Education shall adopt rules  
23 as required by this Act.

24           SECTION 5. This Act takes effect immediately if it receives  
25 a vote of two-thirds of all the members elected to each house, as  
26 provided by Section 39, Article III, Texas Constitution. If this  
27 Act does not receive the vote necessary for immediate effect, this

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1 Act takes effect September 1, 2007.