

Amend CSHB 2730 by adding the following appropriately numbered SECTIONS to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION _____. Section 614.151(2), Government Code, as added by Chapter 1159 (HB 12), Acts of the 80th Legislature, Regular Session, 2007, is amended to read as follows:

(2) "Law enforcement officer" means a person who ~~+~~
~~[(A)]~~ is a commissioned peace officer ~~+~~
~~[(B) is]~~ employed by a law enforcement agency ~~+~~
and
~~[(C) is compensated according to:~~
~~[(i) Schedule C of the position~~
~~classification salary schedule prescribed by the General~~
~~Appropriations Act if the person is employed by a law enforcement~~
~~agency other than the Parks and Wildlife Department; or~~
~~[(ii) Schedule B or C of the position~~
~~classification salary schedule prescribed by the General~~
~~Appropriations Act if the person is employed by the Parks and~~
~~Wildlife Department].~~

SECTION _____. Section 614.152, Government Code, as added by Chapter 1159 (HB 12), Acts of the 80th Legislature, Regular Session, 2007, is amended to read as follows:

Sec. 614.152. PHYSICAL READINESS ~~[FITNESS]~~ STANDARDS. (a) Out of appropriated funds, each law enforcement agency, in consultation with physical readiness experts, shall adopt physical readiness ~~[fitness]~~ standards that a law enforcement officer appointed or employed by the agency must meet ~~[to continue employment with the agency as a law enforcement officer]~~. The standards as applied to an officer must directly relate to the officer's functional job description and performance standards and must include individual readiness goals relative to an officer's age, weight, and gender ~~[job duties]~~. A law enforcement agency shall use the services of a consultant to aid the agency in developing the standards.

(b) An agency may adopt physical readiness standards independent of other law enforcement agencies.

(c) A ~~[Except as provided by Subsection (c), a]~~ violation of

a standard adopted under Subsection (a) is not just cause to discharge an officer or to~~+~~

~~[(1)]~~ transfer the ~~[an]~~ officer to a position that is ~~[not]~~ compensated at a level less than the officer's current position is compensated according to the ~~[Schedule C of the position classification]~~ salary schedule applicable to the officer's current position. An officer who fails to meet a standard adopted under Subsection (a) may be transferred to a position classified at the same or a higher salary level ~~[prescribed by the General Appropriations Act, or~~

~~[(2) for a law enforcement officer employed by the Parks and Wildlife Department and compensated according to Schedule B of the position classification salary schedule prescribed by the General Appropriations Act, transfer the officer to a position that does not require the employee to be a commissioned peace officer].~~

(d) ~~[(c)]~~ A law enforcement agency may temporarily exempt a law enforcement officer from a standard under Subsection (a) based on the facts and circumstances of the individual case, including whether an officer was injured in the line of duty.