

Amend CSHB 2730 (Senate committee printing) by amending SECTIONS 5.09 and 5.10 as follows:

SECTION 5.09. The heading to Section 411.244, Government Code, is amended to read as follows:

Sec. 411.244. OFFICE OF INSPECTOR GENERAL [~~INTERNAL AFFAIRS~~].

SECTION 5.10. Section 411.244, Government Code is amended by amending Subsections (a), (b), (d), (e), and (f), and by adding Subsection (g) to read as follows:

(a) The commission [~~director~~] shall establish the office of inspector general, which is responsible for:

(1) acting to prevent and detect serious breaches of departmental policy, fraud, and abuse of office, including any acts of criminal conduct within the department; and

(2) independently and objectively reviewing, investigating, delegating an investigation, and overseeing the investigation of administrative and all other allegations of conduct referred to in (a)(1) above and the following:

(A) criminal activity occurring in all divisions of the department;

(B) allegations of wrongdoing by department employees;

(C) crimes committed on department property; and

(D) serious breaches of department policy [internal affairs].

(b) The office of inspector general [~~internal affairs~~] has [~~original~~] departmental jurisdiction for oversight and coordination over all investigations occurring on department property or involving department employees. The office shall coordinate and provide oversight, but need not conduct, all investigations under this section. The inspector general shall delegate criminal allegations arising under this section to the Texas Ranger division or the Criminal Law Enforcement division of the department for investigation or referral back to the inspector general for further action. However the inspector general shall continually monitor referred matters and report to the commission along with any other division investigating a matter on its status while pending.

(d) The commission has direct oversight over the office of inspector general, including decisions regarding budget and staffing. The commission [director] shall appoint the inspector general [head of the office of internal affairs]. The inspector general [head of the office of internal affairs] serves until removed by the commission [director]. The commission shall establish policies to ensure that the commission continues to oversee the office of inspector general as required by this subsection and to ensure that the office of inspector general retains and exercises its original jurisdiction under Subsection (b).

(e) The inspector general [~~head of the office of internal affairs~~] shall report directly to the commission [~~director~~]

regarding performance of and activities related to investigations, report to the director for administrative purposes, and provide the director with information regarding investigations as appropriate.

(f) The inspector general [~~head of the office of internal affairs~~] shall present at each regularly scheduled commission meeting and at other appropriate times:

(1) reports of investigations; and

(2) a summary of information relating to investigations conducted under this section that includes analysis of the number, type, and outcome of investigations, trends in the investigations, and recommendations to avoid future complaints.

(g) This chapter or other law related to the operation of the department's office of inspector general does not preempt the authority of the state auditor to conduct an audit or investigation under Chapter 321 or other law.