

## **BILL ANALYSIS**

C.S.H.B. 3770  
By: Fletcher  
Public Safety  
Committee Report (Substituted)

### **BACKGROUND AND PURPOSE**

Current law requires that all peace officers repeat courses on civil rights, racial sensitivity, cultural diversity, along with special investigative topics, every 48 months. These 20 hours of mandated training make up over 25 percent of the continuing education and training that peace officers are required to complete every 48 months. This subject-specific, state-mandated training does not take into account the hundreds of other subjects and skills that could be in need of refresher training. These state-mandated training courses eliminate the discretion of local police training experts and disregard the needs of local agencies to refresh and expand skills related to the peace officers' duties.

Under current law, Texas peace officers are repeating training in these specific courses, and many officers have been exposed to these subjects six to eight times in the last twelve years. In addition, this subject matter is covered in the basic peace officer curriculum, the supervisory officer curriculum, the new police chief curriculum, and other training curricula.

This bill maintains the requirement that all Texas peace officers receive 40 hours of continuing education and training every 24 months from curricula accepted and approved by the Texas Commission on Law Enforcement Officer Standards and Education, but the selection of what is necessary and essential to a peace officer's duties and responsibilities would be left up to the local law enforcement administrator except for certain topics and continuing education for an officer holding more than a basic proficiency certificate.

C.S.H.B. 3770 requires the commission to establish a statewide comprehensive education and training program for law enforcement officers, as part of minimum curriculum requirements for law enforcement training, that covers the laws of Texas and the United States pertaining to peace officers and allows law enforcement administrators to make training choices based on the specific duties of the officer.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

### **ANALYSIS**

C.S.H.B. 3770 amends the Occupations Code to require the Commission on Law Enforcement Officer Standards and Education, as part of the minimum curriculum requirements for law enforcement officer training programs, to establish a statewide comprehensive education and training program for officers that covers the laws of Texas and of the United States pertaining to peace officers. The bill requires peace officers, as part of their required continuing education program to be completed once every 24 months, to complete a training and education program that covers recent changes to the laws of Texas and of the United States pertaining to peace officers. The bill limits the officers to which the topic specific 20-hours maximum continuing education requirement applies to an officer holding a basic proficiency certificate.

C.S.H.B. 3770 requires an officer, as a requirement for an intermediate proficiency certificate, to complete an education and training program on investigative topics established by the commission including child abuse or neglect, family violence, sexual assault, sex offender characteristics, and crime victims' rights and the duty of the officer to ensure that a victim is afforded those rights. The bill requires an officer, as a requirement for this certificate, to complete an education and training program on civil rights, racial sensitivity, and cultural diversity established by the commission.

**EFFECTIVE DATE**

September 1, 2009.

**COMPARISON OF ORIGINAL AND SUBSTITUTE**

C.S.H.B. 3770 differs from the original by limiting certain continuing education requirements only to an officer holding a basic proficiency certificate, whereas the original removes language that sets forth the training topics required to be included in that continuing education and contains no limitation with regard to an officer holding a basic proficiency certificate.

C.S.H.B. 3770 omits a repealer included in the original repealing Sections 1701.352(e) and (f), Occupations Code, relating to specific topics required to be covered in continuing education courses for certain reserve law enforcement officers.