

BILL ANALYSIS

Senate Research Center
81R1697 KSD-F

S.B. 552
By: Hegar
Criminal Justice
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As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Currently, no record of how money from the Law Enforcement Officer Standards and Education Fund (Fund) are spent by law enforcement agencies is maintained.

As proposed, S.B. 552 requires a law enforcement agency to report in detail the expenditure of money from the Fund allotted to that law enforcement agency in the prior year to qualify for the following year's funding. S.B. 552 requires a law enforcement agency to report the number of licensed peace officers employed to work 32 hours per week or more, the number of such positions filled, the percentage of allotted funds used, the number of training hours received through use of the funds, and that the agency has complied with all applicable laws regarding the use of funds.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Sections 1701.157(a) and (b), Occupations Code, as follows:

(a) Requires the comptroller of public accounts (comptroller), not later than March 1 of each calendar year, to allocate money deposited during the preceding calendar year in the general revenue fund to the credit of the law enforcement officer standards and education fund account for expenses related to the continuing education of persons licensed under this chapter as follows:

(1) 20 percent of the money allocated to local law enforcement agencies in this state, rather than allocated to all local law enforcement agencies in this state, that meet the eligibility requirements described by Subsection (b) in equal shares; and

(2) 80 percent of the money is allocated to local law enforcement agencies in this state that meet the eligibility requirements described by Subsection (b), rather than all local law enforcement agencies in this state, in a share representing a fixed amount for each position in the agency, as of January 1 of the preceding calendar year, that is reserved to a person who meets certain requirements.

(b) Deletes existing text requiring each local law enforcement agency to report to the comptroller not later than November 1 of each calendar year the number of agency positions described by Subsection (a)(2) as of January 1 of that year. Requires a local law enforcement agency, to be eligible for an allocation of money under Subsection (a), to report to the comptroller not later than November 1 of the preceding calendar year:

(1) the number of agency positions described by Subsection (a)(2) reserved as of January 1 of the year the report is due;

(2) the number of agency positions described by Subsection (a)(2) filled as of January 1 of the year the report is due;

(3) the percentage of the money received by the agency under Subsection (a) pursuant to the allocation made by the comptroller on or before March 1 of the year preceding the year in which the report is due that was used by the agency before the date of the allocation made by the comptroller under Subsection (a) on or before March 1 of the year the report is due;

(4) the number of training hours received during the 12-month or approximately 12-month period described by Subdivision (3) that were funded by money received by the agency pursuant to the allocation made by the comptroller on or before March 1 of the year preceding the year in which the report is due; and

(5) that the agency has complied with the requirements of this section regarding the use of any money received by the agency pursuant to the allocation made by the comptroller on or before March 1 of the year preceding the year in which the report is due.

SECTION 2. Makes application of this Act prospective to January 1, 2011.

SECTION 3. Effective date: September 1, 2009.