

AN ACT

relating to persons certified as peace officers.

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

SECTION 1. Section 1701.404, Occupations Code, is amended to read as follows:

Sec. 1701.404. CERTIFICATION OF OFFICERS FOR MENTAL HEALTH ASSIGNMENTS. (a) The commission by rule may establish minimum requirements for the training, testing, and certification of special officers for offenders with mental impairments.

(b) The commission may certify a sheriff, sheriff's deputy, constable, ~~or~~ other peace officer, county jailer, or ~~a~~ justice of the peace~~7~~ as a special officer for offenders with mental impairments if the person ~~officer~~:

(1) completes a training course in emergency first aid and lifesaving techniques approved by the commission;

(2) completes a training course administered by the commission on mental health issues and offenders with mental impairments; and

(3) passes an examination administered by the commission that is designed to test the person's ~~officer's~~:

(A) knowledge and recognition of the characteristics and symptoms of mental illness, mental retardation, and mental disabilities; and

(B) knowledge of mental health crisis

1 intervention strategies for people with mental impairments.

2 (c) The commission may issue a professional achievement or
3 proficiency certificate to an officer, county jailer, or justice of
4 the peace who meets the requirements of Subsection (b).

5 SECTION 2. (a) The Commission on Law Enforcement Officer
6 Standards and Education may certify a county jailer as a special
7 officer for offenders with mental impairments and may issue a
8 certificate to the county jailer if the county jailer meets the
9 requirements of Section 1701.404(b), Occupations Code, as amended
10 by this Act, regardless of whether the county jailer completed the
11 required training and passed the examination before, on, or after
12 the effective date of this Act.

13 (b) The Commission on Law Enforcement Officer Standards and
14 Education may issue a certificate under Section 1701.404(c),
15 Occupations Code, as amended by this Act, to a justice of the peace
16 who is certified as a special officer for offenders with mental
17 impairments regardless of whether the justice of the peace was
18 certified before, on, or after the effective date of this Act.

19 SECTION 3. This Act takes effect September 1, 2009.

President of the Senate

Speaker of the House

I certify that H.B. No. 2093 was passed by the House on May 11, 2009, by the following vote: Yeas 144, Nays 0, 2 present, not voting; that the House refused to concur in Senate amendments to H.B. No. 2093 on May 29, 2009, and requested the appointment of a conference committee to consider the differences between the two houses; and that the House adopted the conference committee report on H.B. No. 2093 on May 31, 2009, by the following vote: Yeas 142, Nays 0, 1 present, not voting.

Chief Clerk of the House

H.B. No. 2093

I certify that H.B. No. 2093 was passed by the Senate, with amendments, on May 25, 2009, by the following vote: Yeas 31, Nays 0; at the request of the House, the Senate appointed a conference committee to consider the differences between the two houses; and that the Senate adopted the conference committee report on H.B. No. 2093 on June 1, 2009, by the following vote: Yeas 31, Nays 0.

Secretary of the Senate

APPROVED: _____

Date

Governor