

By: Hegar

S.B. No. 1296

A BILL TO BE ENTITLED

AN ACT

relating to the certification of a county jailer as a special officer for offenders with mental impairments.

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~~[-]~~ 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

1                   (B) knowledge of mental health crisis  
2 intervention strategies for people with mental impairments.

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

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

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

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