

1-1 By: Hegar S.B. No. 1296
1-2 (In the Senate - Filed March 3, 2009; March 17, 2009, read
1-3 first time and referred to Committee on Criminal Justice;
1-4 April 20, 2009, reported adversely, with favorable Committee
1-5 Substitute by the following vote: Yeas 7, Nays 0; April 20, 2009,
1-6 sent to printer.)

1-7 COMMITTEE SUBSTITUTE FOR S.B. No. 1296 By: Hegar

1-8 A BILL TO BE ENTITLED
1-9 AN ACT

1-10 relating to the certification of a county jailer as a special
1-11 officer for offenders with mental impairments.

1-12 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-13 SECTION 1. Section 1701.404, Occupations Code, is amended
1-14 to read as follows:

1-15 Sec. 1701.404. CERTIFICATION OF OFFICERS FOR MENTAL HEALTH
1-16 ASSIGNMENTS. (a) The commission by rule may establish minimum
1-17 requirements for the training, testing, and certification of
1-18 special officers for offenders with mental impairments.

1-19 (b) The commission may certify a sheriff, sheriff's deputy,
1-20 constable, ~~or~~ other peace officer, county jailer, or ~~a~~ justice
1-21 of the peace~~[-]~~ as a special officer for offenders with mental
1-22 impairments if the person ~~officer~~:

1-23 (1) completes a training course in emergency first aid
1-24 and lifesaving techniques approved by the commission;

1-25 (2) completes a training course administered by the
1-26 commission on mental health issues and offenders with mental
1-27 impairments; and

1-28 (3) passes an examination administered by the
1-29 commission that is designed to test the person's ~~officer's~~:

1-30 (A) knowledge and recognition of the
1-31 characteristics and symptoms of mental illness, mental
1-32 retardation, and mental disabilities; and

1-33 (B) knowledge of mental health crisis
1-34 intervention strategies for people with mental impairments.

1-35 (c) The commission may issue a professional achievement or
1-36 proficiency certificate to an officer, county jailer, or justice of
1-37 the peace who meets the requirements of Subsection (b).

1-38 SECTION 2. (a) The Commission on Law Enforcement Officer
1-39 Standards and Education may certify a county jailer as a special
1-40 officer for offenders with mental impairments and may issue a
1-41 certificate to the county jailer if the county jailer meets the
1-42 requirements of Subsection (b), Section 1701.404, Occupations
1-43 Code, as amended by this Act, regardless of whether the county
1-44 jailer completed the required training and passed the examination
1-45 before, on, or after the effective date of this Act.

1-46 (b) The Commission on Law Enforcement Officer Standards and
1-47 Education may issue a certificate under Subsection (c), Section
1-48 1701.404, Occupations Code, as amended by this Act, to a justice of
1-49 the peace who is certified as a special officer for offenders with
1-50 mental impairments regardless of whether the justice of the peace
1-51 was certified before, on, or after the effective date of this Act.

1-52 SECTION 3. This Act takes effect September 1, 2009.

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