

BILL ANALYSIS

H.B. 1328
By: Raymond
Homeland Security & Public Safety
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Electromagnetic pulse devices have the ability to generate a high amplitude electric field capable of disabling an electronic system without causing permanent damage to the system. The use of such devices will benefit peace officers and reserve law enforcement officers and provide them another tool with which to effectively carry out their duties.

In an effort to achieve this benefit, H.B. 1328 requires the Commission on Law Enforcement Officer Standards and Education to designate the use of an electromagnetic pulse device to disable a motor vehicle if the commission determines such device is suitable for use by officers and to establish a voluntary training program for officers in the use of the device.

RULEMAKING AUTHORITY

It is the committee's opinion that rulemaking authority is expressly granted to the Commission on Law Enforcement Officer Standards and Education in SECTION 1 of this bill.

ANALYSIS

H.B. 1328 amends the Occupations Code to require the Commission on Law Enforcement Officer Standards and Education (TCLEOSE) by rule to designate an electromagnetic pulse device to disable a motor vehicle, if TCLEOSE determines the device is suitable for use by peace officers and reserve law enforcement officers, and to establish a voluntary training program for the officers that provides instruction in the use of the electromagnetic pulse devices determined suitable by TCLEOSE. The bill requires TCLEOSE to administer the electromagnetic pulse device training program and to issue a certificate of proficiency to each officer TCLEOSE determines has successfully completed the training program. The bill authorizes TCLEOSE to establish reasonable and necessary fees for the administration of the bill's provisions.

H.B. 1328 defines "electromagnetic pulse device" as a portable device designed to generate a high amplitude electric field capable of disabling an electronic system without causing permanent damage to the system.

EFFECTIVE DATE

September 1, 2011.