

BILL ANALYSIS

Senate Research Center
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S.B. 533
By: Davis
Criminal Justice
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As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Under current law, Sections 420.011(b) and (c), Government Code, the attorney general has the authority to adopt rules establishing minimum standards for the certification of a sexual assault advocate training program and for a Sexual Assault Nurse Examiner (SANE).

This statute also provides that certification for both entities is valid for two years, but does not explicitly authorize the attorney general to adopt rules establishing minimum standards for certification renewal upon expiration of the two-year period.

S.B. 533 authorizes the attorney general to establish a statutorily supported certification renewal process by administrative rule.

As proposed, S.B. 533 amends current law relating to the minimum standards for the certifications of sexual assault training programs and sexual assault nurse examiners and for certification renewal by those entities.

RULEMAKING AUTHORITY

Rulemaking authority previously granted to the attorney general is modified in SECTION 2 (Section 420.011, Government Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 420.003(6), Government Code, to redefine "sexual assault nurse examiner."

SECTION 2. Amends Sections 420.011(b) and (c), Government Code, as follows:

(b) Requires the attorney general to adopt rules establishing minimum standards for the certification of a sexual assault training program and the renewal of that certification by the program. Provides that the certification is valid for two years from the date of issuance. Requires the attorney general to also adopt rules establishing minimum standards for the suspension, decertification, or probation of a training program that violates this chapter.

(c) Requires the attorney general to adopt rules establishing minimum standards for the certification of a sexual assault nurse examiner and the renewal of that certification by the nurse examiner, including the standards for examiner training courses and for the interstate reciprocity of sexual assault nurse examiners. Provides that the certification is valid for two years from the date of issuance. Requires the attorney general to also adopt rules establishing minimum standards for the suspension, decertification, or probation of a sexual assault nurse examiner who violates this chapter.

SECTION 3. Requires the attorney general, not later than December 1, 2011, to adopt the rules required by Sections 420.011(b) and (c), Government Code, as amended by this Act.

SECTION 4. Effective date: September 1, 2011.