

## **BILL ANALYSIS**

Senate Research Center

S.B. 396  
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State Affairs  
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Enrolled

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

Under current law, eligible survivors of certain individuals who died as a result of injury sustained in the line of duty are entitled to specified death benefits. While these benefits are available to the survivors of most fallen Department of Public Safety of the State of Texas (DPS) personnel, current law does not confer those benefits to the survivors of some DPS personnel. S.B. 396 specifies that the survivors of specified essential DPS support personnel, as certified by the public safety director of DPS, would be eligible for the same line-of-duty death benefits as other already eligible DPS personnel.

S.B. 396 amends current law relating to the provision of state death benefits to certain employees of the Department of Public Safety of the State of Texas and the Parks and Wildlife Department.

### **RULEMAKING AUTHORITY**

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Section 615.003, Government Code, as follows:

Sec. 615.003. **APPLICABILITY.** Provides that this chapter (Financial Assistance to Survivors of Certain Law Enforcement Officers, Fire Fighters, and Others) applies only to eligible survivors of the following individuals:

(1)-(7) Makes no change to these subdivisions;

(8) a juvenile correctional employee of the Texas Juvenile Justice Department, rather than the Texas Youth Commission;

(9)-(13) Makes no change to these subdivisions;

(14)-(15) Makes nonsubstantive changes;

(16) an individual who is employed by the Department of Public Safety of the State of Texas (DPS) and, as certified by the public safety director, is:

(A) deployed into the field in direct support of a law enforcement operation, including patrol, investigative, search and rescue, crime scene, on-site communications, or special operations; and

(B) given a special assignment in direct support of operations relating to organized crime, criminal interdiction, border security, counterterrorism, intelligence, traffic enforcement, emergency management, regulatory services, or special investigations; or

(17) an individual who is employed by the Texas Parks and Wildlife Department (TPWD) and, as certified by the executive director of TPWD, is:

(A) deployed into the field in direct support of a law enforcement operation, including patrol, investigative, search and rescue, crime scene, on-site communications, or special operations; and

(B) given a special assignment in direct support of operations relating to organized crime, criminal interdiction, border security, counterterrorism, intelligence, traffic enforcement, emergency management, regulatory services, or special investigations.

SECTION 2. Provides that the change in law made by this Act relating to the death of certain employees of DPS and TPWD applies only in relation to a death that occurs on or after the effective date of this Act. Provides that matters regarding eligibility, payment, and benefits under Chapter 615, Government Code, in relation to a death that occurs before the effective date of this Act are governed by the law in effect when the death occurs, and the former law is continued in effect for that purpose.

SECTION 3. Effective date: September 1, 2013.