

By: Thompson of Harris

H.B. No. 1951

A BILL TO BE ENTITLED

1 AN ACT
2 relating to the licensing and regulation of telecommunicators;
3 providing a criminal penalty.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

5 SECTION 1. Section 1701.151, Occupations Code, is amended
6 to read as follows:

7 Sec. 1701.151. GENERAL POWERS OF COMMISSION; RULEMAKING
8 AUTHORITY. The commission may:

9 (1) adopt rules for the administration of this chapter
10 and for the commission's internal management and control;

11 (2) establish minimum standards relating to
12 competence and reliability, including education, training,
13 physical, mental, and moral standards, for licensing as an officer,
14 county jailer, ~~[or]~~ public security officer, or ~~[employment as a]~~
15 telecommunicator;

16 (3) report to the governor and legislature on the
17 commission's activities, with recommendations on matters under the
18 commission's jurisdiction, and make other reports that the
19 commission considers desirable;

20 (4) require a state agency or a county, special
21 district, or municipality in this state that employs officers,
22 telecommunicators, or county jailers to submit reports and
23 information;

24 (5) contract as the commission considers necessary for

1 services, facilities, studies, and reports required for:

2 (A) cooperation with municipal, county, special
3 district, state, and federal law enforcement agencies in training
4 programs; and

5 (B) performance of the commission's other
6 functions; and

7 (6) conduct research and stimulate research by public
8 and private agencies to improve law enforcement and police
9 administration.

10 SECTION 2. Sections 1701.251(a) and (c), Occupations Code,
11 are amended to read as follows:

12 (a) The commission shall establish and maintain training
13 programs for officers, ~~and~~ county jailers, and
14 telecommunicators. The training shall be conducted by the
15 commission staff or by other agencies and institutions the
16 commission considers appropriate.

17 (c) The commission may:

18 (1) issue or revoke the license of a school operated by
19 or for this state or a political subdivision of this state
20 specifically for training officers, county jailers, ~~or~~ recruits,
21 or telecommunicators;

22 (2) operate schools and conduct preparatory,
23 in-service, basic, and advanced courses in the schools, as the
24 commission determines appropriate, for officers, county jailers,
25 ~~and~~ recruits, and telecommunicators;

26 (3) issue a license to a person to act as a qualified
27 instructor under conditions that the commission prescribes; and

1 (4) consult and cooperate with a municipality, county,
2 special district, state agency or other governmental agency, or a
3 university, college, junior college, or other institution,
4 concerning the development of schools and training programs for
5 officers, ~~and~~ county jailers, and telecommunicators.

6 SECTION 3. Section 1701.301, Occupations Code, is amended
7 to read as follows:

8 Sec. 1701.301. LICENSE REQUIRED. Except as provided by
9 Sections 1701.310, ~~and~~ 1701.311, and 1701.405, a person may not
10 appoint or employ a person to serve as an officer, county jailer,
11 ~~or~~ public security officer, or telecommunicator unless the person
12 ~~appointed~~ holds an appropriate license issued by the commission.

13 SECTION 4. Section 1701.303(b), Occupations Code, is
14 amended to read as follows:

15 (b) A person who appoints an officer or county jailer, or
16 employs a telecommunicator, licensed by the commission shall notify
17 the commission not later than the 30th day after the date of the
18 appointment or employment. If the person appoints or employs an
19 individual who previously served as an officer, ~~or~~ county jailer,
20 or telecommunicator and the appointment or employment occurs after
21 the 180th day after the last date of service as an officer, ~~or~~
22 county jailer, or telecommunicator, the person must have on file
23 ~~[for the officer or county jailer]~~ in a form readily accessible to
24 the commission:

- 25 (1) new criminal history record information;
26 (2) a new declaration of psychological and emotional
27 health and lack of drug dependency or illegal drug use; and

1 (3) two completed fingerprint cards.

2 SECTION 5. Section 1701.307, Occupations Code, is amended
3 by amending Subsection (a) and adding Subsection (d) to read as
4 follows:

5 (a) The commission shall issue an appropriate license to a
6 person who, as required by this chapter:

7 (1) submits an application;

8 (2) completes the required training;

9 (3) passes the required examination;

10 (4) is declared to be in satisfactory psychological
11 and emotional health and free from drug dependency or illegal drug
12 use; and

13 (5) if the person is an applicant for an officer or
14 county jailer license, demonstrates weapons proficiency.

15 (d) The commission may issue a temporary or permanent
16 license to a person to act as a telecommunicator.

17 SECTION 6. Section 1701.352, Occupations Code, is amended
18 by adding Subsection (i) to read as follows:

19 (i) A state agency, county, special district, or
20 municipality that appoints or employs a telecommunicator shall
21 provide training to the telecommunicator of not less than 40 hours
22 during each 24-month period of employment. The training must be
23 approved by the commission and consist of topics selected by the
24 commission and the employing entity.

25 SECTION 7. Section 1701.401(c), Occupations Code, is
26 amended to read as follows:

27 (c) The commission shall adopt rules for issuing

1 achievement awards to peace officers, reserve peace officers,
2 jailers, [~~or~~] custodial officers, or telecommunicators who are
3 licensed by the commission. The commission's rules shall require
4 recommendations from an elected official of this state or a
5 political subdivision, an administrator of a law enforcement
6 agency, or a person holding a license issued by the commission.

7 SECTION 8. Section 1701.405, Occupations Code, is amended
8 by amending Subsection (b) and adding Subsection (b-1) to read as
9 follows:

10 (b) This state or a political subdivision of this state may
11 not employ a person to act as a telecommunicator unless the person:

12 (1) has had at least 40 hours of telecommunicator
13 training as determined by the commission;

14 (2) is at least 18 years of age; [~~and~~]

15 (3) holds a high school diploma or high school
16 equivalency certificate; and

17 (4) holds a license to act as a telecommunicator or
18 agrees to obtain the license not later than the first anniversary of
19 the date of employment.

20 (b-1) A person employed to act as a telecommunicator who has
21 not obtained a license to act as a telecommunicator under this
22 chapter may not continue to act as a telecommunicator after the
23 first anniversary of the date of employment unless the person
24 obtains the license.

25 SECTION 9. Section 1701.551(a), Occupations Code, is
26 amended to read as follows:

27 (a) A person commits an offense if the person appoints or

1 retains another person as an officer, ~~or~~ county jailer, or
2 telecommunicator in violation of Section 1701.301, 1701.303, ~~or~~
3 1701.306, or 1701.405.

4 SECTION 10. (a) Not later than December 31, 2013, the
5 Commission on Law Enforcement Officer Standards and Education shall
6 adopt rules, standards, and procedures necessary to implement
7 Chapter 1701, Occupations Code, as amended by this Act.

8 (b) Notwithstanding Chapter 1701, Occupations Code, as
9 amended by this Act, a person employed as a telecommunicator on or
10 before January 1, 2014, is not required to hold a license under
11 that chapter to act as a telecommunicator before January 1, 2015.

12 SECTION 11. This Act takes effect September 1, 2013.