

1-1 By: Thompson of Harris (Senate Sponsor - Carona) H.B. No. 1951
 1-2 (In the Senate - Received from the House May 9, 2013;
 1-3 May 13, 2013, read first time and referred to Committee on
 1-4 Agriculture, Rural Affairs, and Homeland Security; May 20, 2013,
 1-5 rereferred to Committee on Business and Commerce; May 21, 2013,
 1-6 reported favorably by the following vote: Yeas 6, Nays 0;
 1-7 May 21, 2013, sent to printer.)

1-8 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-9				
1-10	X			
1-11			X	
1-12	X			
1-13	X			
1-14			X	
1-15	X			
1-16	X			
1-17	X			
1-18			X	

1-19 A BILL TO BE ENTITLED
 1-20 AN ACT

1-21 relating to the licensing and regulation of telecommunicators;
 1-22 providing a criminal penalty.

1-23 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-24 SECTION 1. Section 1701.151, Occupations Code, is amended
 1-25 to read as follows:

1-26 Sec. 1701.151. GENERAL POWERS OF COMMISSION; RULEMAKING
 1-27 AUTHORITY. The commission may:

1-28 (1) adopt rules for the administration of this chapter
 1-29 and for the commission's internal management and control;

1-30 (2) establish minimum standards relating to
 1-31 competence and reliability, including education, training,
 1-32 physical, mental, and moral standards, for licensing as an officer,
 1-33 county jailer, ~~or~~ public security officer, or ~~employment as a~~
 1-34 telecommunicator;

1-35 (3) report to the governor and legislature on the
 1-36 commission's activities, with recommendations on matters under the
 1-37 commission's jurisdiction, and make other reports that the
 1-38 commission considers desirable;

1-39 (4) require a state agency or a county, special
 1-40 district, or municipality in this state that employs officers,
 1-41 telecommunicators, or county jailers to submit reports and
 1-42 information;

1-43 (5) contract as the commission considers necessary for
 1-44 services, facilities, studies, and reports required for:

1-45 (A) cooperation with municipal, county, special
 1-46 district, state, and federal law enforcement agencies in training
 1-47 programs; and

1-48 (B) performance of the commission's other
 1-49 functions; and

1-50 (6) conduct research and stimulate research by public
 1-51 and private agencies to improve law enforcement and police
 1-52 administration.

1-53 SECTION 2. Sections 1701.251(a) and (c), Occupations Code,
 1-54 are amended to read as follows:

1-55 (a) The commission shall establish and maintain training
 1-56 programs for officers, ~~and~~ county jailers, and
 1-57 telecommunicators. The training shall be conducted by the
 1-58 commission staff or by other agencies and institutions the
 1-59 commission considers appropriate.

1-60 (c) The commission may:

1-61 (1) issue or revoke the license of a school operated by

2-1 or for this state or a political subdivision of this state
2-2 specifically for training officers, county jailers, ~~or~~ recruits,
2-3 or telecommunicators;

2-4 (2) operate schools and conduct preparatory,
2-5 in-service, basic, and advanced courses in the schools, as the
2-6 commission determines appropriate, for officers, county jailers,
2-7 [and] recruits, and telecommunicators;

2-8 (3) issue a license to a person to act as a qualified
2-9 instructor under conditions that the commission prescribes; and

2-10 (4) consult and cooperate with a municipality, county,
2-11 special district, state agency or other governmental agency, or a
2-12 university, college, junior college, or other institution,
2-13 concerning the development of schools and training programs for
2-14 officers, [and] county jailers, and telecommunicators.

2-15 SECTION 3. Section 1701.301, Occupations Code, is amended
2-16 to read as follows:

2-17 Sec. 1701.301. LICENSE REQUIRED. Except as provided by
2-18 Sections 1701.310, ~~and~~ 1701.311, and 1701.405, a person may not
2-19 appoint or employ a person to serve as an officer, county jailer,
2-20 [or] public security officer, or telecommunicator unless the person
2-21 [appointed] holds an appropriate license issued by the commission.

2-22 SECTION 4. Section 1701.303, Occupations Code, is amended
2-23 by adding Subsection (c) to read as follows:

2-24 (c) A person who appoints or employs a telecommunicator
2-25 licensed by the commission shall notify the commission not later
2-26 than the 30th day after the date of the appointment or employment.
2-27 If the person appoints or employs an individual who previously
2-28 served as a telecommunicator and the appointment or employment
2-29 occurs after the 180th day after the last date of service as a
2-30 telecommunicator, the person must have on file in a form readily
2-31 accessible to the commission:

- 2-32 (1) new criminal history record information; and
- 2-33 (2) two completed fingerprint cards.

2-34 SECTION 5. The heading to Section 1701.307, Occupations
2-35 Code, is amended to read as follows:

2-36 Sec. 1701.307. ISSUANCE OF OFFICER OR COUNTY JAILER
2-37 LICENSE.

2-38 SECTION 6. Section 1701.307(a), Occupations Code, is
2-39 amended to read as follows:

2-40 (a) The commission shall issue an appropriate officer or
2-41 county jailer license to a person who, as required by this chapter:

- 2-42 (1) submits an application;
- 2-43 (2) completes the required training;
- 2-44 (3) passes the required examination;
- 2-45 (4) is declared to be in satisfactory psychological
2-46 and emotional health and free from drug dependency or illegal drug
2-47 use; and
- 2-48 (5) demonstrates weapons proficiency.

2-49 SECTION 7. Subchapter G, Chapter 1701, Occupations Code, is
2-50 amended by adding Section 1701.3071 to read as follows:

2-51 Sec. 1701.3071. ISSUANCE OF TELECOMMUNICATOR LICENSE. (a)
2-52 The commission shall issue a telecommunicator license to a person
2-53 who:

- 2-54 (1) submits an application;
- 2-55 (2) completes the required training;
- 2-56 (3) passes the required examination; and
- 2-57 (4) meets any other requirement of this chapter and
2-58 the rules prescribed by the commission to qualify as a
2-59 telecommunicator.

2-60 (b) The commission may issue a temporary or permanent
2-61 license to a person to act as a telecommunicator.

2-62 SECTION 8. Section 1701.352, Occupations Code, is amended
2-63 by adding Subsection (i) to read as follows:

2-64 (i) A state agency, county, special district, or
2-65 municipality that appoints or employs a telecommunicator shall
2-66 provide training to the telecommunicator of not less than 20 hours
2-67 during each 24-month period of employment. The training must be
2-68 approved by the commission and consist of topics selected by the
2-69 commission and the employing entity.

3-1 SECTION 9. Section 1701.401(c), Occupations Code, is
3-2 amended to read as follows:

3-3 (c) The commission shall adopt rules for issuing
3-4 achievement awards to peace officers, reserve peace officers,
3-5 jailers, ~~or~~ custodial officers, or telecommunicators who are
3-6 licensed by the commission. The commission's rules shall require
3-7 recommendations from an elected official of this state or a
3-8 political subdivision, an administrator of a law enforcement
3-9 agency, or a person holding a license issued by the commission.

3-10 SECTION 10. Section 1701.405, Occupations Code, is amended
3-11 by amending Subsection (b) and adding Subsections (b-1) and (b-2)
3-12 to read as follows:

3-13 (b) This state or a political subdivision of this state may
3-14 not employ a person to act as a telecommunicator unless the person:

3-15 (1) has had at least 40 hours of telecommunicator
3-16 training as determined by the commission;

3-17 (2) is at least 18 years of age; ~~and~~

3-18 (3) holds a high school diploma or high school
3-19 equivalency certificate; and

3-20 (4) holds a license to act as a telecommunicator or
3-21 agrees to obtain the license not later than the first anniversary of
3-22 the date of employment.

3-23 (b-1) A person employed to act as a telecommunicator who has
3-24 not obtained a license to act as a telecommunicator under this
3-25 chapter may not continue to act as a telecommunicator after the
3-26 first anniversary of the date of employment unless the person
3-27 obtains the license.

3-28 (b-2) Notwithstanding this section, an officer is not
3-29 required to obtain a telecommunicator license to act as a
3-30 telecommunicator.

3-31 SECTION 11. Section 1701.551(a), Occupations Code, is
3-32 amended to read as follows:

3-33 (a) A person commits an offense if the person appoints or
3-34 retains another person as an officer, ~~or~~ county jailer, or
3-35 telecommunicator in violation of Section 1701.301, 1701.303, ~~or~~
3-36 1701.306, or 1701.405.

3-37 SECTION 12. (a) Not later than December 31, 2013, the
3-38 Commission on Law Enforcement Officer Standards and Education shall
3-39 adopt rules, standards, and procedures necessary to implement
3-40 Chapter 1701, Occupations Code, as amended by this Act, and
3-41 Subsection (b) of this section.

3-42 (b) Notwithstanding Chapter 1701, Occupations Code, as
3-43 amended by this Act, a person employed as a certified
3-44 telecommunicator on January 1, 2014, is exempt from the
3-45 requirements for an initial telecommunicator license under that
3-46 chapter, and the Commission on Law Enforcement Officer Standards
3-47 and Education shall issue a telecommunicator license to the person
3-48 on receipt of an application showing that the person was employed as
3-49 a certified telecommunicator on that date.

3-50 SECTION 13. (a) Except as provided by Subsection (b) of
3-51 this section, this Act takes effect January 1, 2014.

3-52 (b) Section 12 of this Act takes effect September 1, 2013.

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