

AN ACT

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.

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

SECTION 1. Section 615.003, Government Code, is amended to read as follows:

Sec. 615.003. APPLICABILITY. This chapter applies only to eligible survivors of the following individuals:

(1) an individual elected, appointed, or employed as a peace officer by the state or a political subdivision of the state under Article 2.12, Code of Criminal Procedure, or other law;

(2) a paid probation officer appointed by the director of a community supervision and corrections department who has the duties set out in Section 76.002 and the qualifications set out in Section 76.005, or who was appointed in accordance with prior law;

(3) a parole officer employed by the Texas Department of Criminal Justice who has the duties set out in Section 508.001 and the qualifications set out in Section 508.113 or in prior law;

(4) a paid jailer;

(5) a member of an organized police reserve or auxiliary unit who regularly assists peace officers in enforcing criminal laws;

(6) a member of the class of employees of the

1 correctional institutions division formally designated as
2 custodial personnel under Section 615.006 by the Texas Board of
3 Criminal Justice or its predecessor in function;

4 (7) a jailer or guard of a county jail who is appointed
5 by the sheriff and who:

6 (A) performs a security, custodial, or
7 supervisory function over the admittance, confinement, or
8 discharge of prisoners; and

9 (B) is certified by the Commission on Law
10 Enforcement Officer Standards and Education;

11 (8) a juvenile correctional employee of the Texas
12 Juvenile Justice Department [~~Youth Commission~~];

13 (9) an employee of the Department of Aging and
14 Disability Services or Department of State Health Services who:

15 (A) works at the department's maximum security
16 unit; or

17 (B) performs on-site services for the Texas
18 Department of Criminal Justice;

19 (10) an individual who is employed by the state or a
20 political or legal subdivision and is subject to certification by
21 the Texas Commission on Fire Protection;

22 (11) an individual employed by the state or a
23 political or legal subdivision whose principal duties are aircraft
24 crash and rescue fire fighting;

25 (12) a member of an organized volunteer fire-fighting
26 unit that:

27 (A) renders fire-fighting services without

1 remuneration; and

2 (B) conducts a minimum of two drills each month,
3 each two hours long;

4 (13) an individual who:

5 (A) performs emergency medical services or
6 operates an ambulance;

7 (B) is employed by a political subdivision of the
8 state or is an emergency medical services volunteer as defined by
9 Section 773.003, Health and Safety Code; and

10 (C) is qualified as an emergency care attendant
11 or at a higher level of training under Section 773.046, 773.047,
12 773.048, 773.049, or 773.0495, Health and Safety Code;

13 (14) an individual who is employed or formally
14 designated as a chaplain for:

15 (A) an organized volunteer fire-fighting unit or
16 other fire department of this state or of a political subdivision of
17 this state;

18 (B) a law enforcement agency of this state or of a
19 political subdivision of this state; or

20 (C) the Texas Department of Criminal Justice;
21 ~~[or]~~

22 (15) an individual who is employed by the state or a
23 political subdivision of the state and who is considered by the
24 governmental employer to be a trainee for a position otherwise
25 described by this section;

26 (16) an individual who is employed by the Department
27 of Public Safety and, as certified by the director, is:

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

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

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

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

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

22 SECTION 2. The change in law made by this Act relating to
23 the death of certain employees of the Department of Public Safety of
24 the State of Texas and the Parks and Wildlife Department applies
25 only in relation to a death that occurs on or after the effective
26 date of this Act. Matters regarding eligibility, payment, and
27 benefits under Chapter 615, Government Code, in relation to a death

1 that occurs before the effective date of this Act are governed by
2 the law in effect when the death occurs, and the former law is
3 continued in effect for that purpose.

4 SECTION 3. This Act takes effect September 1, 2013.

President of the Senate

Speaker of the House

I hereby certify that S.B. No. 396 passed the Senate on March 27, 2013, by the following vote: Yeas 30, Nays 0; May 22, 2013, Senate refused to concur in House amendments and requested appointment of Conference Committee; May 23, 2013, House granted request of the Senate; May 25, 2013, Senate adopted Conference Committee Report by the following vote: Yeas 30, Nays 0.

Secretary of the Senate

I hereby certify that S.B. No. 396 passed the House, with amendments, on May 15, 2013, by the following vote: Yeas 146, Nays 0, two present not voting; May 23, 2013, House granted request of the Senate for appointment of Conference Committee; May 25, 2013, House adopted Conference Committee Report by the following vote: Yeas 144, Nays 0, two present not voting.

Chief Clerk of the House

Approved:

Date

Governor