

1-1 By: Hegar S.B. No. 396
 1-2 (In the Senate - Filed February 5, 2013; February 13, 2013,
 1-3 read first time and referred to Committee on State Affairs;
 1-4 March 20, 2013, reported adversely, with favorable Committee
 1-5 Substitute by the following vote: Yeas 8, Nays 0; March 20, 2013,
 1-6 sent to printer.)

1-7 COMMITTEE VOTE

| | Yea | Nay | Absent | PNV |
|------|-----|-----|--------|-----|
| 1-8 | | | | |
| 1-9 | X | | | |
| 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 COMMITTEE SUBSTITUTE FOR S.B. No. 396 By: Nichols

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

1-21 relating to the provision of state death benefits to certain
 1-22 employees of the Department of Public Safety of the State of Texas.

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

1-24 SECTION 1. Section 615.003, Government Code, is amended to
 1-25 read as follows:

1-26 Sec. 615.003. APPLICABILITY. This chapter applies only to
 1-27 eligible survivors of the following individuals:

1-28 (1) an individual elected, appointed, or employed as a
 1-29 peace officer by the state or a political subdivision of the state
 1-30 under Article 2.12, Code of Criminal Procedure, or other law;

1-31 (2) a paid probation officer appointed by the director
 1-32 of a community supervision and corrections department who has the
 1-33 duties set out in Section 76.002 and the qualifications set out in
 1-34 Section 76.005, or who was appointed in accordance with prior law;

1-35 (3) a parole officer employed by the Texas Department
 1-36 of Criminal Justice who has the duties set out in Section 508.001
 1-37 and the qualifications set out in Section 508.113 or in prior law;

1-38 (4) a paid jailer;

1-39 (5) a member of an organized police reserve or
 1-40 auxiliary unit who regularly assists peace officers in enforcing
 1-41 criminal laws;

1-42 (6) a member of the class of employees of the
 1-43 correctional institutions division formally designated as
 1-44 custodial personnel under Section 615.006 by the Texas Board of
 1-45 Criminal Justice or its predecessor in function;

1-46 (7) a jailer or guard of a county jail who is appointed
 1-47 by the sheriff and who:

1-48 (A) performs a security, custodial, or
 1-49 supervisory function over the admittance, confinement, or
 1-50 discharge of prisoners; and

1-51 (B) is certified by the Commission on Law
 1-52 Enforcement Officer Standards and Education;

1-53 (8) a juvenile correctional employee of the Texas
 1-54 Juvenile Justice Department [~~Youth Commission~~];

1-55 (9) an employee of the Department of Aging and
 1-56 Disability Services or Department of State Health Services who:

1-57 (A) works at the department's maximum security
 1-58 unit; or

1-59 (B) performs on-site services for the Texas
 1-60 Department of Criminal Justice;

2-1 (10) an individual who is employed by the state or a
2-2 political or legal subdivision and is subject to certification by
2-3 the Texas Commission on Fire Protection;

2-4 (11) an individual employed by the state or a
2-5 political or legal subdivision whose principal duties are aircraft
2-6 crash and rescue fire fighting;

2-7 (12) a member of an organized volunteer fire-fighting
2-8 unit that:

2-9 (A) renders fire-fighting services without
2-10 remuneration; and

2-11 (B) conducts a minimum of two drills each month,
2-12 each two hours long;

2-13 (13) an individual who:

2-14 (A) performs emergency medical services or
2-15 operates an ambulance;

2-16 (B) is employed by a political subdivision of the
2-17 state or is an emergency medical services volunteer as defined by
2-18 Section 773.003, Health and Safety Code; and

2-19 (C) is qualified as an emergency care attendant
2-20 or at a higher level of training under Section 773.046, 773.047,
2-21 773.048, 773.049, or 773.0495, Health and Safety Code;

2-22 (14) an individual who is employed or formally
2-23 designated as a chaplain for:

2-24 (A) an organized volunteer fire-fighting unit or
2-25 other fire department of this state or of a political subdivision of
2-26 this state;

2-27 (B) a law enforcement agency of this state or of a
2-28 political subdivision of this state; or

2-29 (C) the Texas Department of Criminal Justice;
2-30 [~~or~~]

2-31 (15) an individual who is employed by the state or a
2-32 political subdivision of the state and who is considered by the
2-33 governmental employer to be a trainee for a position otherwise
2-34 described by this section; or

2-35 (16) an individual who is employed by the Department
2-36 of Public Safety and, as certified by the director, is:

2-37 (A) deployed into the field in direct support of
2-38 a law enforcement operation, including patrol, investigative,
2-39 search and rescue, crime scene, on-site communications, or special
2-40 operations; and

2-41 (B) given a special assignment in direct support
2-42 of operations relating to organized crime, criminal interdiction,
2-43 border security, counterterrorism, intelligence, traffic
2-44 enforcement, emergency management, regulatory services, or special
2-45 investigations.

2-46 SECTION 2. The change in law made by this Act relating to
2-47 the death of certain employees of the Department of Public Safety of
2-48 the State of Texas applies only in relation to a death that occurs
2-49 on or after the effective date of this Act. Matters regarding
2-50 eligibility, payment, and benefits under Chapter 615, Government
2-51 Code, in relation to a death that occurs before the effective date
2-52 of this Act are governed by the law in effect when the death occurs,
2-53 and the former law is continued in effect for that purpose.

2-54 SECTION 3. This Act takes effect September 1, 2013.

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