

By: Williams

S.B. No. 965

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the correction of employment termination reports for
3 law enforcement officers.

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

5 SECTION 1. The heading to Section 1701.4525, Occupations
6 Code, is amended to read as follows:

7 Sec. 1701.4525. PETITION FOR CORRECTION OF REPORT;
8 HEARING[~~, ADMINISTRATIVE PENALTY~~].

9 SECTION 2. Section 1701.4525(e), Occupations Code, is
10 amended to read as follows:

11 (e) In a proceeding to contest information in an employment
12 termination report for a report based on alleged misconduct, an
13 administrative law judge shall determine if the alleged misconduct
14 occurred by a preponderance of the evidence regardless of whether
15 the person who is the subject of the report was terminated or the
16 person resigned, retired, or separated in lieu of termination. If
17 the alleged misconduct is not supported by a preponderance of the
18 evidence, the administrative law judge shall order the commission
19 to change the report [~~to be changed~~].

20 SECTION 3. Section 1701.4525(e-1), Occupations Code, is
21 repealed.

22 SECTION 4. The changes in law made by this Act to Section
23 1701.4525, Occupations Code, apply only to a petition for a
24 correction of an employment termination report submitted on or

1 after the effective date of this Act. A petition submitted before
2 the effective date of this Act is governed by the law in effect on
3 the date the petition was submitted, and the former law is continued
4 in effect for that purpose.

5 SECTION 5. This Act takes effect September 1, 2013.