

By: Rose

H.B. No. 1855

Substitute the following for H.B. No. 1855:

By: Keough

C.S.H.B. No. 1855

A BILL TO BE ENTITLED

1 AN ACT  
2 relating to training, continuing education, and weapons  
3 proficiency standards for correctional officers employed by the  
4 Texas Department of Criminal Justice.

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

6 SECTION 1. Chapter 493, Government Code, is amended by  
7 adding Sections 493.032, 493.033, and 493.034 to read as follows:

8 Sec. 493.032. REQUIRED TRAINING FOR CORRECTIONAL OFFICERS.

9 (a) The department shall require each correctional officer  
10 employed by the department to complete, during the correctional  
11 officer's first 24 months of service, not less than 280 hours of  
12 training, including:

13 (1) 140 hours of on-the-job training; and

14 (2) mental health crisis intervention training.

15 (b) The department, in consultation with the Texas  
16 Commission on Law Enforcement, shall develop mental health crisis  
17 intervention training to be part of the training required by  
18 Subsection (a)(2).

19 (c) The department by rule shall provide temporary  
20 exceptions to the requirements of this section for a correctional  
21 officer who cannot complete the training required by Subsection (a)  
22 due to:

23 (1) a medical emergency involving the officer or a  
24 member of the officer's family;

1           (2) the officer's active military service; or

2           (3) the officer's unit or facility being unable to  
3 provide training in a timely manner due to severe weather or a  
4 catastrophic event.

5           (d) An exception created by the department under Subsection  
6 (c) must ensure compliance with the training requirements of this  
7 section as soon as practicable after the period required by this  
8 section.

9           (e) The department shall indicate in the correctional  
10 officer's personnel file that the officer has completed the  
11 training required by this section.

12           (f) A correctional officer is not required to complete  
13 training under this section if the officer's personnel file  
14 indicates that the officer has completed the training required by  
15 this section during a previous period of employment as a  
16 correctional officer during the preceding 36 months.

17           (g) The department may suspend or otherwise discipline a  
18 correctional officer who fails to comply with the requirements of  
19 this section.

20           Sec. 493.033. CONTINUING EDUCATION REQUIRED FOR  
21 CORRECTIONAL OFFICERS. (a) The department shall require each  
22 correctional officer employed by the department to complete at  
23 least 80 hours of continuing education programs once every 24  
24 months. The department may suspend or otherwise discipline a  
25 correctional officer who fails to comply with this requirement.

26           (b) As part of the continuing education requirement under  
27 Subsection (a), a correctional officer must complete a training and

1 education program that covers the core requirements designated by  
2 the department.

3 (c) The department shall develop specialized training for  
4 correctional officers that may be credited toward continuing  
5 education requirements.

6 (d) The department by rule shall provide temporary  
7 exceptions to the continuing education requirements of this section  
8 for a correctional officer who cannot meet the continuing education  
9 requirements of this section due to:

10 (1) a medical emergency involving the officer or a  
11 member of the officer's family;

12 (2) the officer's active military service; or

13 (3) the officer's unit or facility being unable to  
14 provide training in a timely manner due to severe weather or a  
15 catastrophic event.

16 (e) An exception created by the department under Subsection  
17 (d) must ensure compliance with the continuing education  
18 requirements of this section as soon as practicable after the  
19 period required by this section.

20 Sec. 493.034. CONTINUING DEMONSTRATION OF WEAPONS  
21 PROFICIENCY. (a) The department shall designate one or more  
22 firearms proficiency officers and require each correctional  
23 officer employed by the department to demonstrate weapons  
24 proficiency to a firearms proficiency officer at least annually.  
25 The department shall maintain records of the weapons proficiency of  
26 correctional officers.

27 (b) The department by rule shall define weapons proficiency

1 for purposes of this section.

2 SECTION 2. Not later than January 1, 2016, the Texas  
3 Department of Criminal Justice shall adopt rules as required by  
4 Sections 493.032, 493.033, and 493.034, Government Code, as added  
5 by this Act.

6 SECTION 3. (a) Section 493.032, Government Code, as added  
7 by this Act, applies only to a correctional officer hired by the  
8 Texas Department of Criminal Justice on or after the effective date  
9 of this Act. A correctional officer hired before the effective date  
10 of this Act is governed by the law in effect immediately before the  
11 effective date of this Act, and that law is continued in effect for  
12 that purpose.

13 (b) Sections 493.033 and 493.034, Government Code, as added  
14 by this Act, apply to a correctional officer employed by the Texas  
15 Department of Criminal Justice on or after the effective date of  
16 this Act, regardless of whether the officer is hired before, on, or  
17 after that date.

18 SECTION 4. This Act takes effect September 1, 2015.