

BILL ANALYSIS

C.S.H.B. 2820
By: Pickett
Homeland Security & Public Safety
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Interested parties contend that it would be beneficial to establish a committee to help plan, facilitate, and oversee the various ceremonies held to honor Texas peace officers killed in the line of duty. C.S.H.B. 2820 seeks to establish the Texas Peace Officers' Memorial Ceremony Committee for those purposes.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

C.S.H.B. 2820 amends the Government Code to establish the Texas Peace Officers' Memorial Ceremony Committee to plan, oversee, and facilitate annual ceremonies recognizing and honoring Texas peace officers who were killed in the line of duty. The bill provides for the committee's membership, including the designation of certain state officers as nonvoting members. The bill requires the committee to meet as necessary to plan and coordinate an annual memorial ceremony on the Capitol grounds to honor Texas peace officers who were killed in the line of duty during which the name of each peace officer who is being added to the Texas Peace Officer's Memorial Monument in that year must be read and the surviving family members of the peace officer must be recognized. The bill requires the committee to hold the ceremony on a date selected by the committee during the week in which May 8 occurs and authorizes the ceremony to be funded by public or private money. The bill requires a ceremony held in an odd-numbered year to include a parade of law enforcement color guards and personnel ending at the Capitol and a ceremony held during a joint session of the legislature on the floor of the house of representatives, if possible.

EFFECTIVE DATE

September 1, 2017.

COMPARISON OF ORIGINAL AND SUBSTITUTE

While C.S.H.B. 2820 may differ from the original in minor or nonsubstantive ways, the following comparison is organized and formatted in a manner that indicates the substantial differences between the introduced and committee substitute versions of the bill.

INTRODUCED

SECTION 1. The heading to Chapter 3105, Government Code, is amended.

SECTION 2. Section 3105.002, Government Code, is amended.

SECTION 3. Section 3105.005(c), Government Code, is amended.

SECTION 4. Chapter 3105, Government Code, is amended by adding Sections 3105.006 and 3105.007 to read as follows:

Sec 3105.006. TEXAS PEACE OFFICERS' MEMORIAL CEREMONY COMMITTEE. (a) The committee is established to plan, oversee, and facilitate annual ceremonies recognizing and honoring peace officers of this state who were killed in the line of duty.

(b) The committee consists of the following members:

(1) a president, or the president's designee, of a law enforcement organization that:

(A) provides full service legal and political representation to law enforcement officers of this state;

(B) has at least 10,000 members paying dues, as provided by the organization's Internal Revenue Service Form 990 for the previous reporting period;

(C) has complied with all filing requirements of the Internal Revenue Service, the United States Department of Labor, and the secretary of state; and

(D) has a president and board of directors elected by the organization's members;

(2) a surviving spouse of a peace officer killed in the line of duty selected by the chapters of the Concerns of Police Survivors of this state;

(3) the following nonvoting members or designees of the members:

(A) the governor;

(B) the lieutenant governor;

(C) the speaker of the house of representatives;

(D) the attorney general;

(E) the director of the Department of Public Safety;

(F) the executive director of the board; and

HOUSE COMMITTEE SUBSTITUTE

SECTION 1. Same as introduced version.

SECTION 2. Same as introduced version.

SECTION 3. Same as introduced version.

SECTION 4. Chapter 3105, Government Code, is amended by adding Sections 3105.006 and 3105.007 to read as follows:

Sec. 3105.006. TEXAS PEACE OFFICERS' MEMORIAL CEREMONY COMMITTEE. (a) The committee is established to plan, oversee, and facilitate annual ceremonies recognizing and honoring peace officers of this state who were killed in the line of duty.

(b) The committee consists of the following members:

(1) a president, or the president's designee, of any law enforcement organization that:

(A) provides full service legal and political representation to law enforcement officers of this state;

(B) has at least 10,000 members paying dues, as provided by the organization's Internal Revenue Service Form 990 for the previous reporting period;

(C) has complied with all filing requirements of the Internal Revenue Service, the United States Department of Labor, and the secretary of state; and

(D) has an elected board of directors;

(2) a surviving spouse of a peace officer killed in the line of duty selected by the chapters of the Concerns of Police Survivors of this state; and

(3) the following nonvoting members or designees of the members:

(A) the governor;

(B) the lieutenant governor;

(C) the speaker of the house of representatives;

(D) the attorney general;

(E) the director of the Department of Public Safety;

(F) the executive director of the board; and

(G) the executive director of the commission.

Sec. 3105.007. TEXAS PEACE OFFICERS' MEMORIAL CEREMONY.

(a) The committee shall meet as necessary to plan and coordinate an annual memorial ceremony on the Capitol grounds to honor Texas peace officers who were killed in the line of duty.

(b) The committee shall hold the ceremony on a date selected by the committee during the week in which May 8 occurs.

(c) The committee and the organizations represented on the committee shall solicit and accept private donations to fund the ceremony.

(d) Each odd-numbered year, the ceremony must include a:

(1) parade of law enforcement color guards and personnel ending at the Capitol;

and

(2) ceremony held during a joint session of the legislature on the floor of the house of representatives, if possible.

(e) During the ceremony under Subsection (d)(2), the name of each peace officer who was killed in the line of duty since the previous ceremony under Subsection (d) must be read and the surviving family members of the peace officer must be recognized.

SECTION 5. This Act takes effect September 1, 2017.

(G) the executive director of the commission.

Sec. 3105.007. TEXAS PEACE OFFICERS' MEMORIAL CEREMONY.

(a) The committee shall meet as necessary to plan and coordinate an annual memorial ceremony on the Capitol grounds to honor Texas peace officers who were killed in the line of duty.

(b) The committee shall hold the ceremony on a date selected by the committee during the week in which May 8 occurs.

(c) The ceremony may be funded by public or private money.

(d) Each odd-numbered year, the ceremony must include:

(1) a parade of law enforcement color guards and personnel ending at the Capitol;

and

(2) a ceremony held during a joint session of the legislature on the floor of the house of representatives, if possible.

(e) During the ceremony under this section, the name of each peace officer who is being added to the monument that year must be read and the surviving family members of the peace officer must be recognized.

SECTION 5. Same as introduced version.