

BILL ANALYSIS

C.S.H.B. 1415
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County Affairs
Committee Report (Substituted)

BACKGROUND AND PURPOSE

There have been calls to ensure that constables receive sufficient training on civil process issues to prepare them for the duties of their position. C.S.H.B. 1415 seeks to provide for this training.

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. 1415 amends the Occupations Code to remove the requirement for the program of initial training and the program of continuing education for constables to relate to civil process issues. The bill requires each constable to instead complete a separate training program providing at least 20 hours of additional continuing education instruction on civil process to be provided by a public institution of higher education selected by the Texas Commission on Law Enforcement (TCOLE) during each 48-month continuing education training period. The bill requires TCOLE to establish minimum curriculum requirements for that course and authorizes TCOLE to waive the requirement to complete the course for a constable who requests a waiver because of hardship, if TCOLE determines that a hardship exists.

EFFECTIVE DATE

September 1, 2019.

COMPARISON OF ORIGINAL AND SUBSTITUTE

While C.S.H.B. 1415 may differ from the original in minor or nonsubstantive ways, the following summarizes the substantial differences between the introduced and committee substitute versions of the bill.

The substitute includes a provision removing a requirement for the existing training for constables to relate to civil process issues.

The substitute does not require TCOLE to establish the minimum curriculum requirements for the new training program by way of rules.

The substitute does not require the new training to be provided by the same institution that provides the existing training for constables.