

BILL ANALYSIS

Senate Research Center
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S.B. 1811
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Criminal Justice
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As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

The current required constable education program emphasizes only leadership and management lessons with no focused training on the complex civil laws of the Property Code, Civil Practice and Remedies Code, and many other codes and statutes. Meanwhile, deputy constables are required to receive 20 hours of civil process training every four-year training cycle. S.B. 1811 will ensure that constables receive the same education, standardizing the training process by requiring both constables and deputy constables to receive at least 20 hours of instruction on civil processes as part of their continuing education program.

As proposed, S.B. 1811 amends current law relating to continuing education training on civil process for constables.

RULEMAKING AUTHORITY

Rulemaking authority is expressly granted to the Texas Commission on Law Enforcement (TCOLE) in SECTION 1 (Section 1701.3545, Occupations Code) of this bill.

Rulemaking authority previously granted to TCOLE is modified in SECTION 1 (Section 1701.3545, Occupations Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 1701.3545, Occupations Code, by adding Subsection (b-1) and amending Subsections (e) and (f), as follows:

(b-1) Requires each constable, in addition to the requirements of Subsection (b) (relating to requiring each constable to complete at least 40 hours of continuing education provided by the selected institution each 48-month period), to complete at least 20 hours of continuing education instruction on civil process as part of the continuing education program provided by the selected institution under this section (Initial Training and Continuing Education for Constables) during each 48-month continuing education training period. Requires the Texas Commission on Law Enforcement (TCOLE) by rule to establish minimum curriculum requirements for the continuing education course on civil process required by this subsection. Authorizes TCOLE to waive the continuing education requirements of this subsection if:

- (1) a constable requests a waiver because of hardship; and
- (2) TCOLE determines that a hardship exists.

(e) Authorizes the institution selected under Subsection (a) (relating to requiring a public institution of higher education selected by TCOLE to establish and offer a program of initial training and a program of continuing education for constables) by rule to provide for the waiver of:

- (1) makes no changes to this subdivision; or

(2) the continuing education requirements of Subsection (b) or (b-1), rather than Subsection (b), for an individual who has satisfactorily completed equivalent continuing education during the preceding 24 months.

(f) Provides that an individual who is subject to the continuing education requirements of Subsections (b) and (b-1), rather than Subsection (b), is exempt from other continuing education requirements under this subchapter (Continuing Education and Yearly Weapons Proficiency). Makes a nonsubstantive change.

SECTION 2. Requires TCOLE, as soon as practicable after the effective date of this Act, to adopt rules necessary to implement Section 1701.3545, Occupations Code, as amended by this Act.

SECTION 3. Effective date: September 1, 2019.