86R20640 JCG-D

By:  Neave H.B. No. 282

Substitute the following for H.B. No. 282:

By:  Burns C.S.H.B. No. 282

A BILL TO BE ENTITLED

AN ACT

relating to the training of peace officers on cases involving child abuse and neglect, family violence, and sexual assault.

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

SECTION 1.  Section 1701.253(b), Occupations Code, is amended to read as follows:

(b)  In establishing requirements under this section, the commission shall require courses and programs to provide training in:

(1)  the recognition, investigation, and documentation of cases that involve[~~:~~

[~~(A)~~]  child abuse and [~~or~~] neglect, [~~;~~

[~~(B)~~]  family violence, [~~;~~] and

[~~(C)~~]  sexual assault, including the use of best practices and trauma-informed response techniques to effectively recognize, investigate, and document those cases;

(2)  issues concerning sex offender characteristics; and

(3)  crime victims' rights under Chapter 56, Code of Criminal Procedure, and Chapter 57, Family Code, and the duty of law enforcement agencies to ensure that a victim is afforded those rights.

SECTION 2.  Section 1701.352(b), Occupations Code, is amended to read as follows:

(b)  The commission shall require a state, county, special district, or municipal agency that appoints or employs peace officers to provide each peace officer with a training program at least once every 48 months that is approved by the commission and consists of:

(1)  topics selected by the agency; and

(2)  for an officer holding only a basic proficiency certificate, not more than 20 hours of education and training that contain curricula incorporating the learning objectives developed by the commission regarding:

(A)  civil rights, racial sensitivity, and cultural diversity;

(B)  de-escalation and crisis intervention techniques to facilitate interaction with persons with mental impairments;

(C)  de-escalation techniques to facilitate interaction with members of the public, including techniques for limiting the use of force resulting in bodily injury; and

(D)  unless determined by the agency head to be inconsistent with the officer's assigned duties:

(i)  the recognition, investigation, and documentation of cases that involve child abuse and [~~or~~] neglect, family violence, and sexual assault, including the use of best practices and trauma-informed response techniques to effectively recognize, investigate, and document those cases; and

(ii)  issues concerning sex offender characteristics.

SECTION 3.  Subchapter I, Chapter 1701, Occupations Code, is amended by adding Section 1701.4045 to read as follows:

Sec. 1701.4045.  CERTIFICATION OF OFFICERS FOR CHILD ABUSE AND NEGLECT, FAMILY VIOLENCE, AND SEXUAL ASSAULT ASSIGNMENTS. (a) The commission by rule shall establish minimum requirements for the training, testing, and certification of special officers for responding to allegations of child abuse and neglect, family violence, and sexual assault.

(b)  The commission may certify a peace officer as a special officer for responding to allegations of child abuse and neglect, family violence, and sexual assault if the person:

(1)  completes an advanced training course administered by the commission on recognizing, investigating, and documenting cases involving child abuse and neglect, family violence, and sexual assault using best practices and trauma-informed response techniques; and

(2)  passes an examination administered by the commission that is designed to test the person's:

(A)  knowledge and recognition of the signs of child abuse and neglect, family violence, and sexual assault; and

(B)  skill at investigating and documenting child abuse and neglect, family violence, and sexual assault using best practices and trauma-informed response techniques.

(c)  The commission may issue a professional achievement or proficiency certificate to a peace officer who meets the requirements of Subsection (b).

SECTION 4.  Not later than January 1, 2020, the Texas Commission on Law Enforcement shall establish the comprehensive education and training program required by Section 1701.253(b), Occupations Code, as amended by this Act.

SECTION 5.  As soon as practicable after the effective date of this Act, the Texas Commission on Law Enforcement shall adopt rules necessary to implement Section 1701.4045, Occupations Code, as added by this Act.

SECTION 6.  This Act takes effect September 1, 2019.