By:  Cortez (Senate Sponsor - Menéndez) H.B. No. 2584

(In the Senate - Received from the House May 8, 2019; May 10, 2019, read first time and referred to Committee on Criminal Justice; May 17, 2019, reported adversely, with favorable Committee Substitute by the following vote: Yeas 6, Nays 0; May 17, 2019, sent to printer.)

COMMITTEE VOTE

               Yea Nay Absent  PNV

Whitmire        X

Huffman         X

Buckingham      X

Flores          X

Hughes                    X

Miles           X

Perry           X

COMMITTEE SUBSTITUTE FOR H.B. No. 2584 By:  Whitmire

A BILL TO BE ENTITLED

AN ACT

relating to the authority of a code enforcement officer performing official duties to possess or carry an instrument used for deterring an animal bite.

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

SECTION 1.  Section 46.15, Penal Code, is amended by adding Subsection (h) to read as follows:

(h)  The provisions of Sections 46.02 and 46.03 prohibiting the possession or carrying of a club do not apply to a code enforcement officer who:

(1)  holds a certificate of registration issued under Chapter 1952, Occupations Code; and

(2)  possesses or carries an instrument used specifically for deterring an animal bite while the officer is:

(A)  performing official duties; or

(B)  traveling to or from a place of duty.

SECTION 2.  Section 1952.051, Occupations Code, is amended by adding Subsection (c) to read as follows:

(c)  The education requirements adopted under Subsection (b) must include education regarding the principles and procedures to be followed when possessing or carrying an instrument used specifically for deterring an animal bite.

SECTION 3.  Section 1952.1051, Occupations Code, is amended to read as follows:

Sec. 1952.1051.  CONTINUING EDUCATION. The commission by rule shall prescribe continuing education requirements for code enforcement officers and code enforcement officers in training that:

(1)  establish the number of hours of continuing education required for renewal of a certificate of registration;

(2)  establish an approved curriculum that includes material regarding changes in applicable law and the principles and procedures to be followed when possessing or carrying an instrument used specifically for deterring an animal bite; and

(3)  provide that the approved curriculum may be taught by suitable public agencies and by private entities approved by the department.

SECTION 4.  (a) As soon as practicable after the effective date of this Act, the Texas Commission of Licensing and Regulation shall adopt the rules necessary to implement Sections 1952.051 and 1952.1051, Occupations Code, as amended by this Act.

(b)  A code enforcement officer shall complete the education requirements described by Section 1952.051(c), Occupations Code, as added by this Act, before the officer may possess or carry an instrument used specifically for deterring an animal bite as provided by Section 46.15(h), Penal Code, as added by this Act.

SECTION 5.  This Act takes effect September 1, 2019.

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