

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:

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

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

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

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

14 SECTION 4. (a) As soon as practicable after the effective
15 date of this Act, the Texas Commission of Licensing and Regulation
16 shall adopt the rules necessary to implement Sections 1952.051 and
17 1952.1051, Occupations Code, as amended by this Act.

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

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

President of the Senate

Speaker of the House

I certify that H.B. No. 2584 was passed by the House on May 7, 2019, by the following vote: Yeas 146, Nays 0, 2 present, not voting; and that the House concurred in Senate amendments to H.B. No. 2584 on May 24, 2019, by the following vote: Yeas 121, Nays 19, 2 present, not voting.

Chief Clerk of the House

I certify that H.B. No. 2584 was passed by the Senate, with amendments, on May 22, 2019, by the following vote: Yeas 31, Nays 0.

Secretary of the Senate

APPROVED: _____

Date

Governor