

By: Rose

H.B. No. 3526

A BILL TO BE ENTITLED

AN ACT

relating to the duties of and training for certain officers and jailers regarding the child safety check alert list.

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

SECTION 1. Article 2.272, Code of Criminal Procedure, is amended to read as follows:

Art. 2.272. [~~LAW ENFORCEMENT~~] RESPONSE TO CHILD SAFETY CHECK ALERT. (a) If an an [~~a peace~~] officer locates a child or other person listed on the Texas Crime Information Center's child safety check alert list established under Section 261.3022, Family Code, the officer shall:

(1) immediately contact the Department of Family and Protective Services on the department's dedicated law-enforcement telephone number for statewide intake;

(2) request information from the department regarding the circumstances of the case involving the child or other person; and

(3) request information from the child and the other person regarding the child's safety, well-being, and current residence.

(b) The [~~peace~~] officer may temporarily detain the child or other person to ensure the safety and well-being of the child.

(c) If the [~~peace~~] officer determines that the circumstances described by Section 262.104, Family Code, exist, the

1 officer may take temporary possession of the child without a court
2 order as provided by Section 262.104, Family Code. If the [~~peace~~]
3 officer does not take temporary possession of the child, the
4 officer shall obtain the child's current address and any other
5 relevant information and report that information to the Department
6 of Family and Protective Services.

7 (d) An [~~A peace~~] officer who locates a child or other person
8 listed on the Texas Crime Information Center's child safety check
9 alert list and who reports the child's or other person's current
10 address and other relevant information to the Department of Family
11 and Protective Services shall report to the Texas Crime Information
12 Center that the child or other person has been located and to whom
13 the child was released, as applicable.

14 (e) In this article, "officer" means:

15 (1) a peace officer;

16 (2) a parole officer, as defined by Section 508.001,
17 Government Code;

18 (3) a juvenile probation officer, juvenile
19 supervision officer, juvenile correctional officer, or juvenile
20 parole officer;

21 (4) a supervision officer, as defined by Article
22 42A.001; and

23 (5) a county jailer, as defined by Section 1701.001,
24 Occupations Code.

25 SECTION 2. Section 261.3023, Family Code, is amended to
26 read as follows:

27 Sec. 261.3023. [~~LAW ENFORCEMENT~~] RESPONSE TO CHILD SAFETY

1 CHECK ALERT. If an [~~a law enforcement~~] officer, as defined by
2 Article 2.272, Code of Criminal Procedure, encounters a child or
3 other person listed on the Texas Crime Information Center's child
4 safety check alert list, the [~~law enforcement~~] officer shall follow
5 the procedures described by that article [~~Article 2.272, Code of~~
6 ~~Criminal Procedure~~].

7 SECTION 3. Sections 261.3024(a) and (b), Family Code, are
8 amended to read as follows:

9 (a) An [~~A law enforcement~~] officer, as defined by Article
10 2.272, Code of Criminal Procedure, who locates a child listed on the
11 Texas Crime Information Center's child safety check alert list
12 shall report that the child has been located in the manner
13 prescribed by that article [~~Article 2.272, Code of Criminal~~
14 ~~Procedure~~].

15 (b) If the department locates a child who has been placed on
16 the child safety check alert list established under Section
17 261.3022 through a means other than information reported to the
18 department by an [~~a law enforcement~~] officer under Article 2.272,
19 Code of Criminal Procedure, the department shall report to the
20 Texas Crime Information Center that the child has been located.

21 SECTION 4. Section 261.3025(b), Family Code, is amended to
22 read as follows:

23 (b) The report must include the following information for
24 the preceding calendar year:

25 (1) the number of peace [~~law enforcement~~] officers who
26 completed the training program established under Section 1701.266,
27 Occupations Code;

1 (2) the number of children who have been placed on the
2 child safety check alert list and the number of those children who
3 have been located; and

4 (3) the number of families who have been placed on the
5 child safety check alert list and the number of those families who
6 have been located.

7 SECTION 5. Section 76.005, Government Code, is amended by
8 adding Subsection (b-1) to read as follows:

9 (b-1) To be eligible for appointment as an officer who
10 supervises defendants placed on community supervision a person must
11 complete a training course on the Texas Crime Information Center's
12 child safety check alert list that is substantially similar to the
13 education and training program established under Section 1701.266,
14 Occupations Code.

15 SECTION 6. Subchapter D, Chapter 508, Government Code, is
16 amended by adding Section 508.11411 to read as follows:

17 Sec. 508.11411. SPECIALIZED TRAINING; CHILD SAFETY CHECK
18 ALERT LIST. The department shall develop and provide specialized
19 training for parole officers on the Texas Crime Information
20 Center's child safety check alert list. The training must be
21 substantially similar to the education and training program
22 established under Section 1701.266, Occupations Code.

23 SECTION 7. Subchapter A, Chapter 221, Human Resources Code,
24 is amended by adding Section 221.0062 to read as follows:

25 Sec. 221.0062. CHILD SAFETY CHECK ALERT LIST TRAINING. The
26 department shall provide training on the Texas Crime Information
27 Center's child safety check alert list during the preservice

1 training the department provides for juvenile probation officers,
2 juvenile supervision officers, juvenile correctional officers, and
3 juvenile parole officers. The training must be substantially
4 similar to the education and training program established under
5 Section 1701.266, Occupations Code.

6 SECTION 8. Section 1701.253, Occupations Code, is amended
7 by adding Subsection (p) to read as follows:

8 (p) As part of the minimum curriculum requirements, the
9 commission shall require an officer to complete the education and
10 training program on the Texas Crime Information Center's child
11 safety check alert list developed under Section 1701.266(a). An
12 officer shall complete the program not later than the second
13 anniversary of the date the officer is licensed under this chapter
14 unless the officer completes the program as part of the officer's
15 basic training course.

16 SECTION 9. Section 1701.266, Occupations Code, is amended
17 by adding Subsection (a-1) to read as follows:

18 (a-1) The commission by rule may require a county that
19 appoints or employs a county jailer to provide the jailer with
20 training that is substantially similar to the education and
21 training program established under this section.

22 SECTION 10. Not later than December 31, 2019, the Texas
23 Commission on Law Enforcement shall adopt the rules necessary to
24 implement Section 1701.253(p), Occupations Code, as added by this
25 Act, and Section 1701.266, Occupations Code, as amended by this
26 Act.

27 SECTION 11. This Act takes effect September 1, 2019.