

1-1 By: Menéndez S.B. No. 764
1-2 (In the Senate - Filed February 12, 2019; March 1, 2019,
1-3 read first time and referred to Committee on Criminal Justice;
1-4 May 1, 2019, reported favorably by the following vote: Yeas 7,
1-5 Nays 0; May 1, 2019, sent to printer.)

1-6 COMMITTEE VOTE

| | Yea | Nay | Absent | PNV |
|------|-------------------|-----|--------|-----|
| 1-7 | | | | |
| 1-8 | <u>Whitmire</u> | X | | |
| 1-9 | <u>Huffman</u> | X | | |
| 1-10 | <u>Buckingham</u> | X | | |
| 1-11 | <u>Flores</u> | X | | |
| 1-12 | <u>Hughes</u> | X | | |
| 1-13 | <u>Miles</u> | X | | |
| 1-14 | <u>Perry</u> | X | | |

1-15 A BILL TO BE ENTITLED
1-16 AN ACT

1-17 relating to the authority of a code enforcement officer performing
1-18 official duties to possess or carry an instrument used for
1-19 deterring an animal bite.

1-20 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-21 SECTION 1. Section 46.15, Penal Code, is amended by adding
1-22 Subsection (h) to read as follows:

1-23 (h) The provisions of Sections 46.02 and 46.03 prohibiting
1-24 the possession or carrying of a club do not apply to a code
1-25 enforcement officer who:

1-26 (1) holds a certificate of registration issued under
1-27 Chapter 1952, Occupations Code; and

1-28 (2) possesses or carries an instrument used
1-29 specifically for deterring an animal bite while the officer is:

1-30 (A) performing official duties; or

1-31 (B) traveling to or from a place of duty.

1-32 SECTION 2. Section 1952.051, Occupations Code, is amended
1-33 by adding Subsection (c) to read as follows:

1-34 (c) The education requirements adopted under Subsection (b)
1-35 must include education regarding the principles and procedures to
1-36 be followed when possessing or carrying an instrument used
1-37 specifically for deterring an animal bite.

1-38 SECTION 3. Section 1952.1051, Occupations Code, is amended
1-39 to read as follows:

1-40 Sec. 1952.1051. CONTINUING EDUCATION. The commission by
1-41 rule shall prescribe continuing education requirements for code
1-42 enforcement officers and code enforcement officers in training
1-43 that:

1-44 (1) establish the number of hours of continuing
1-45 education required for renewal of a certificate of registration;

1-46 (2) establish an approved curriculum that includes
1-47 material regarding changes in applicable law and the principles and
1-48 procedures to be followed when possessing or carrying an instrument
1-49 used specifically for deterring an animal bite; and

1-50 (3) provide that the approved curriculum may be taught
1-51 by suitable public agencies and by private entities approved by the
1-52 department.

1-53 SECTION 4. This Act takes effect September 1, 2019.

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