

By: Coleman

H.B. No. 4149

A BILL TO BE ENTITLED

AN ACT

1
2 relating to county jailers.

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

4 SECTION 1. Section 1701.310, Occupations Code, is amended
5 to read as follows:

6 Sec. 1701.310. APPOINTMENT OF COUNTY JAILER; TRAINING
7 REQUIRED. (a) Except as provided by Subsection (e), a person may
8 not be appointed as a county jailer, except on a temporary basis,
9 unless the person has satisfactorily completed a preparatory
10 training program, as required by the commission, in the operation
11 of a county jail at a school operated or licensed by the commission.
12 The training program must consist of at least eight hours of mental
13 health training approved by the commission and the Commission on
14 Jail Standards.

15 (b) A county jailer appointed on a temporary basis who does
16 not satisfactorily complete the preparatory training program
17 before the first anniversary of the date that the person is
18 appointed shall be removed from the position. A county jailer
19 appointed on a temporary basis shall be enrolled in the preparatory
20 training program on or before the 90th day after their temporary
21 appointment. A temporary appointment may not be renewed.

22 (c) A county jailer serving under permanent appointment
23 before September 1, 1979, regardless of whether the person's
24 employment was terminated before that date because of failure to

1 satisfy standards adopted under Chapter 511, Government Code, is
2 not required to meet a requirement of this section as a condition of
3 continued employment or promotion unless:

4 (1) in an attempt to meet the standards the person took an
5 examination and failed or was not allowed to finish the examination
6 because the person acted dishonestly in regard to the examination;

7 (2) the person forged a document purporting to show that the
8 person meets the standards; or

9 (3) the person seeks a new appointment as a county jailer on
10 or after September 1, 1984.

11 (d) A county jailer serving under permanent appointment
12 before September 1, 1979, is eligible to attend training courses in
13 the operation of a county jail, subject to commission rules.

14 (e) A person trained and certified by the Texas Department
15 of Criminal Justice to serve as a corrections officer in that
16 agency's correctional institutions division is not required to
17 complete the training requirements of this section to be appointed
18 a part-time county jailer. Examinations under Section 1701.304 and
19 psychological examinations under Section 1701.306 apply.

20 (f) A county jailer appointed on a temporary basis may not
21 be promoted to a supervisory position in a county jail.

22 (g) The commission and the Commission on Jail Standards may
23 develop additional training for county jailers serving under
24 permanent appointments to promote health and safety in county
25 jails.

26 SECTION 2. This Act takes effect September 1, 2021.