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23 May-17 AM 07:45
HOUSE OF REPRESENTATIVES

FLOOR AMENDMENT NO. _____

BY: Moody

1 Amend C.S.S.B. No. 1445 (house committee report) as follows:

2 (1) On page 26, line 9, strike "and".

3 (2) On page 26, between lines 11 and 12, insert the
4 following:

5 (D) the separation of the license holder if the
6 letter, memorandum, or document is from the employing agency and:

7 (i) describes the reasons for the
8 separation;

9 (ii) specifies whether the license holder
10 separated from the agency on a voluntary or involuntary basis; or

11 (iii) indicates whether the separation was
12 related to a documented and substantiated instance of:

13 (a) a violation of law, other than for
14 a traffic-related offense;

15 (b) a violation of a use-of-force
16 policy adopted by the employing agency; or

17 (c) misconduct required to be
18 reported under the policy described by Section 1701.4522; and

19 (3) On page 28, between lines 3 and 4, insert the following:

20 (f) Notwithstanding Section 1701.454, the reason for a
21 license holder's separation from an agency is subject to disclosure
22 under Chapter 552, Government Code.

23 (g) A license holder who separates from a law enforcement
24 agency is entitled to:

25 (1) review a letter, memorandum, or document related
26 to the separation of the license holder that is maintained in the
27 license holder's personnel file under Subsection (a)(1)(D); and

28 (2) submit to the commission a written response to the
29 letter, memorandum, or document stating the reasons for the license

1 holder's separation, as understood by the license holder.