

## **BILL ANALYSIS**

C.S.H.B. 3362  
By: Metcalf  
Homeland Security & Public Safety  
Committee Report (Substituted)

### **BACKGROUND AND PURPOSE**

Active shooter situations have become an all too common occurrence over recent decades. These situations not only lead to the loss of innocent lives, but they also create a sense of fear among the public. To help restore the trust in our communities, the public needs to know that when an attack does happen, police will be able to respond efficiently and neutralize the situation. C.S.H.B. 3362 seeks to require all peace officers to complete an initial training program and continuing education programs on responding to an active shooter.

### **CRIMINAL JUSTICE IMPACT**

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that rulemaking authority is expressly granted to the Texas Commission on Law Enforcement in SECTION 3 of this bill.

### **ANALYSIS**

C.S.H.B. 3362 amends the Occupations Code to require the Texas Commission on Law Enforcement (TCOLE), as part of the minimum curriculum requirements for peace officer training schools, to require an officer to complete a training program of not less than 16 hours on responding to an active shooter as developed by the Advanced Law Enforcement Rapid Response Training (ALERRT) Center at Texas State University--San Marcos. The bill requires an officer who has not completed the training program as part of their basic training course to complete the program not later than the last day of the first full continuing education training period that begins on or after the date the officer is licensed.

C.S.H.B. 3362 requires a peace officer to again complete not less than 16 hours of training on responding to an active shooter as developed by the ALERRT Center as part of the continuing education required for peace officers every 24 months. The bill specifies that the following provisions do not apply to this continuing education requirement:

- the authorization for TCOLE to waive continuing education requirements when mitigating circumstances exist;
- the requirement for TCOLE to credit an officer as meeting the continuing education requirements if during the relevant 24-month period the officer served on active duty as a member of the U.S. military for at least 12 months or served as an elected member of the legislature; and
- the exemption from the general continuing education requirements for an officer who is second in command to a police chief of a law enforcement agency and who attends a continuing education program for command staff provided by the Bill Blackwood Law Enforcement Management Institute of Texas.

C.S.H.B. 3362 establishes that an officer's initial completion of the active shooter training program developed by the ALERRT Center as part of minimum curriculum requirements satisfies any other requirement, other than the bill's continuing education requirement, for the officer to complete a training program on responding to active shootings, including the Education Code training requirement applicable specifically to school district peace officers and school resource officers.

C.S.H.B. 3362 requires TCOLE to adopt rules to implement the bill's provisions. The bill's provisions relating to the minimum school curriculum requirements apply only to an officer who first begins to satisfy those requirements on or after January 1, 2024, and the provisions relating to continuing education requirements apply only with respect to a 24-month continuing education training unit that begins on or after the bill's effective date.

### **EFFECTIVE DATE**

September 1, 2023.

### **COMPARISON OF INTRODUCED AND SUBSTITUTE**

While C.S.H.B. 3362 may differ from the introduced in minor or nonsubstantive ways, the following summarizes the substantial differences between the introduced and committee substitute versions of the bill.

Whereas the introduced required the active shooter training program included as part of the minimum school curriculum requirements to be a program provided by the ALERRT Center or a similar organization approved by TCOLE, the substitute requires instead that the program be one that is developed by the ALERRT Center.

The substitute includes provisions absent from the introduced requiring a peace officer to complete additional active shooter response training as part of the biennial continuing education required for peace officers. Accordingly, the substitute revises the provisions in the introduced establishing that completion of the training program as part of the minimum curriculum requirements satisfies any other requirement for the officer to complete a training program on responding to active shootings to specify that the continuing education requirement is not satisfied by the initial training.