

BILL ANALYSIS

Senate Research Center
88R22038 DRS-D

C.S.S.B. 252
By: Alvarado
State Affairs
4/24/2023
Committee Report (Substituted)

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

C.S.S.B. 252 amends current law relating to the licensing of certain veterans by the Texas Commission on Law Enforcement and the hiring of those veterans by political subdivisions.

RULEMAKING AUTHORITY

Rulemaking authority is expressly granted to the Texas Commission on Law Enforcement in SECTION 5 of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends the heading to Chapter 370, Local Government Code, to read as follows:

CHAPTER 370. MISCELLANEOUS PROVISIONS RELATING TO HEALTH AND PUBLIC SAFETY OF MORE THAN ONE TYPE OF LOCAL GOVERNMENT

SECTION 2. Amends Chapter 370, Local Government Code, by adding Section 370.007, as follows:

Sec. 370.007. APPOINTING OR EMPLOYING CERTAIN VETERANS TO POSITION REQUIRING LICENSURE. (a) Defines "commission."

(b) Authorizes a political subdivision that appoints or employs a person to hold a position that requires the person to be licensed by the Texas Commission on Law Enforcement (TCOLE), notwithstanding any other law, to appoint or employ a legal permanent resident of the United States to hold the position if the person is an honorably discharged veteran of the armed forces of the United States with at least two years of service before discharge and holds the appropriate license issued by TCOLE.

(c) Prohibits a political subdivision from appointing or employing a person under this section to hold a supervisory position until the person becomes a United States citizen.

SECTION 3. Amends Subchapter G, Chapter 1701, Occupations Code, by adding Section 1701.3095, as follows:

Sec. 1701.3095. LICENSING OF CERTAIN VETERANS WHO ARE LEGAL PERMANENT RESIDENTS. Requires TCOLE to issue a license TCOLE is authorized to issue to a person who is a legal permanent resident of the United States if the person:

(1) meets the requirements of Chapter 1701 (Law Enforcement Officers) and TCOLE's rules for the license;

(2) is an honorably discharged veteran of the armed forces of the United States with at least two years of service before discharge; and

(3) presents evidence satisfactory to TCOLE that the person has applied for United States citizenship.

SECTION 4. Amends Section 1701.451(a), Occupations Code, as follows:

(a) Requires a law enforcement agency, before the agency is authorized to hire a person licensed under this chapter, on a form and in the manner prescribed by TCOLE, to take certain actions, including submitting to TCOLE confirmation that the agency, to the best of the agency's ability before hiring the person, took certain actions, including, except as provided by Subsection (b) (relating to requiring that the confirmation submitted to TCOLE, if an entity or individual contacted for information required to be reviewed under Section 1701.451 (Preemployment Procedure) refused to provide the information or did not respond to the request for information, document the manner of the request and the refusal or lack of response), obtaining and reviewing as related to the person, as applicable, certain information, including, if the person is an honorably discharged veteran of the armed forces of the United States with at least two years of service before discharge, proof of legal permanent residence and proof that the person has applied for United States citizenship. Makes a nonsubstantive change.

SECTION 5. Requires TCOLE, not later than December 1, 2023, to amend rules as necessary to comply with Section 1701.3095, Occupations Code, as added by this Act, and Section 1701.451, Occupations Code, as amended by this Act.

SECTION 6. Makes application of Section 1701.451, Occupations Code, as amended by this Act, prospective to December 1, 2023.

SECTION 7. Effective date: September 1, 2023.