

BILL ANALYSIS

Senate Research Center

S.B. 267
By: King
Finance
5/25/2023
Enrolled

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Concerns have been raised nationwide regarding the accountability and performance of law enforcement agencies. There have been calls to incentivize more law enforcement agencies in Texas to seek accreditation through entities such as the Texas Police Chiefs Association Law Enforcement Best Practices Recognition Program by establishing a grant program. Investing in law enforcement agencies through a grant program will help to professionalize the industry, create an environment that fosters better communication between local governments and law enforcement agencies, and ensure the highest standard of excellence in law enforcement. S.B. 267 seeks to address the issue by creating a grant program to provide financial assistance to law enforcement agencies in Texas for certain accreditation purposes.

During the 87th session, H.B. 323 passed out of the House. It had no opposition and had broad bipartisan support. The bill this session is mandatory rather than voluntary accreditation and is applicable to more law enforcement agencies.

(Original Author's/Sponsor's Statement of Intent)

S.B. 267 amends current law relating to law enforcement agency accreditation, including a grant program to assist agencies in becoming accredited.

RULEMAKING AUTHORITY

Rulemaking authority is expressly granted to the Texas Commission on Law Enforcement in SECTION 2 (Section 1701.165, Occupations Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Subchapter B, Chapter 403, Government Code, by adding Section 403.0302, as follows:

Sec. 403.0302. LAW ENFORCEMENT AGENCY ACCREDITATION GRANT PROGRAM. (a) Defines "law enforcement agency."

(b) Requires the Comptroller of Public Accounts of the State of Texas (comptroller) to establish and administer a grant program to provide financial assistance for purposes of becoming accredited as required by the rules adopted under Section 1701.165, Occupations Code, to each law enforcement agency that employs fewer than 250 peace officers.

(c) Requires a law enforcement agency, to be eligible to receive a grant under this section, to have executed a contract with an accrediting entity described by Section 1701.165(b), Occupations Code, and complete an initial assessment by the accrediting entity.

(d) Authorizes a law enforcement agency, based on the results of the initial assessment completed under Subsection (c), to request grant funds for reimbursement of an accreditation fee, staff overtime, or temporary staffing necessary to become accredited.

(e) Authorizes grant money provided under this section to be used only by a law enforcement agency for the purposes of becoming accredited. Prohibits a law enforcement agency from receiving more than one grant under this section.

(f) Prohibits the amount of a grant awarded under this section from exceeding \$30,000.

(g) Requires the comptroller to establish:

(1) eligibility criteria for grant applicants;

(2) grant application procedures;

(3) guidelines relating to grant amounts;

(4) procedures for evaluating grant applications, including prioritizing applications from law enforcement agencies employing fewer than 100 peace officers;

(5) procedures for monitoring the use of a grant awarded under the program and ensuring compliance with any conditions of a grant; and

(6) procedures for revoking a grant awarded under the program if the law enforcement agency is not accredited within the period specified by the rules adopted under Section 1701.165, Occupations Code.

(h) Requires the comptroller, not later than December 1 of each year, to submit to the Legislative Budget Board a report that provides the following information for the preceding state fiscal year:

(1) the name of each law enforcement agency that applied for a grant under this section; and

(2) the amount of money distributed to each law enforcement agency that received a grant under this section.

(i) Authorizes the comptroller to use any revenue available for purposes of this section.

(j) Requires a law enforcement agency, notwithstanding any other law or rule, beginning September 1, 2029, to be accredited as provided by the rules adopted under Section 1701.165, Occupations Code, to be eligible to receive any grant supporting law enforcement operations or equipment acquisition administered by the comptroller other than a grant under this section.

SECTION 2. Amends Subchapter D, Chapter 1701, Occupations Code, by adding Section 1701.165, as follows:

Sec. 1701.165. LAW ENFORCEMENT AGENCY ACCREDITATION. (a) Defines "law enforcement agency."

(b) Requires the Texas Commission on Law Enforcement (TCOLE) to adopt rules requiring each law enforcement agency to become accredited and maintain accreditation:

(1) through the Texas Police Chiefs Association Law Enforcement Agency Best Practices Accreditation Program;

(2) by the Commission on Accreditation for Law Enforcement Agencies, Inc.;

(3) by the International Association of Campus Law Enforcement Administrators;

(4) by an accreditation program developed by the Sheriffs' Association of Texas; or

(5) by an association or organization designated by TCOLE as provided by Subsection (e).

(c) Requires that the rules adopted under Subsection (b) require a law enforcement agency that is not already accredited to:

(1) execute a contract with an approved accrediting entity not later than September 1, 2027; and

(2) become accredited not later than September 1, 2029.

(d) Requires TCOLE to implement a program to assist law enforcement agencies in becoming accredited as required by the rules adopted under Subsection (b).

(e) Requires TCOLE to periodically review associations and organizations that establish standards of practice for law enforcement agencies and that offer accreditation to agencies that meet those standards. Authorizes TCOLE, on a majority vote of TCOLE that accreditation of law enforcement agencies in this state by an association or organization would benefit public safety, to designate the association or organization as an accrediting entity for purposes of Subsection (b)(5).

(f) Requires a law enforcement agency to report annually the agency's accreditation status, including the applicable accrediting entity described by Subsection (b), to TCOLE.

(g) Requires TCOLE to post on TCOLE's Internet website a list of all law enforcement agencies that are currently accredited or under contract with an accrediting entity as described by Subsection (b).

SECTION 3. (a) Requires TCOLE, not later than December 1, 2023, to adopt the rules required by Section 1701.165, Occupations Code, as added by this Act.

(b) Requires the comptroller, not later than January 1, 2024, to establish the grant program required by Section 403.0302, Government Code, as added by this Act.

SECTION 4. Effective date: upon passage or September 1, 2023.