

BILL ANALYSIS

Senate Research Center

S.B. 1852
By: Flores
Criminal Justice
5/29/2023
Enrolled

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Texas is home to the best Active Shooter Training Center in the country through ALERRT (Advanced Law Enforcement Rapid Response Training) housed at Texas State University in San Marcos. This bill would add a minimum of 16 hours of active shooter training provided by ALERRT to the basic peace officer training course, or a Texas Commission on Law Enforcement (TCOLE) approved equivalent.

- As part of the minimum curriculum requirements, TCOLE shall require an officer to complete a training program of not less than 16 hours on responding to an active shooter as provided by the Advanced Law Enforcement Rapid Response Training Center at Texas State University—San Marcos, or a similar organization approved by TCOLE.
- An officer shall 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 under this chapter unless the officer completes the program as part of the officer's basic training course.
- Completion of a training program under this subsection satisfies any other requirement for the officer to complete a training program on responding to active shooters, including under Section 37.0812(a), Education Code.

This bill would require TCOLE to adopt rules to implement Section 1701.253(q), Occupations Code, as added by this Act, as soon as practicable after September 1, 2023.

This bill would ensure that minimum curriculum requirements under Section 1701.253(q), Occupations Code, as added by this Act, apply to an officer who first begins to satisfy those requirements on or after September 1, 2023.

This bill would require a peace officer or reserve law enforcement officer who holds a license under Chapter 1701, Occupations Code, issued on or before September 1, 2023, to complete a training program established under Section 1701.253(q), Occupations Code, as added by this Act, no later than August 31, 2027, unless they have already completed a training program established under Section 1701.253(q), Occupations Code, as added by this Act.

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

S.B. 1852 amends current law relating to active shooter training for peace officers.

RULEMAKING AUTHORITY

Rulemaking authority is expressly granted to the Texas Commission on Law Enforcement in SECTION 3 of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 1701.253, Occupations Code, by adding Subsection (q), as follows:

- (q) Requires the Texas Commission on Law Enforcement (TCOLE) to require an officer, as part of the minimum curriculum requirements, 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 Center at Texas State University—San Marcos. Requires an officer 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 under Chapter 1701 (Law Enforcement Officers) unless the officer completes the program as part of the officer's basic training course. Provides that completion of a training program under this subsection satisfies any other requirement, other than a continuing education requirement under Section 1701.3525, for the officer to complete a training program on responding to active shootings, including under Section 37.0812(a) (relating to requiring a school district peace officer or school resource officer to complete an active shooter response training program approved by TCOLE), Education Code.

SECTION 2. Amends Subchapter H, Chapter 1701, Occupations Code, by adding Section 1701.3525, as follows:

Sec. 1701.3525. ACTIVE SHOOTER RESPONSE TRAINING REQUIRED FOR OFFICERS. (a) Requires that an officer, as part of the continuing education programs under Section 1701.351(a) (relating to requiring each peace officer to complete at least 40 hours of continuing education programs once every 24 months), complete not less than 16 hours of training on responding to an active shooter as developed by the Advanced Law Enforcement Rapid Response Training Center at Texas State University—San Marcos.

(b) Provides that the exemptions under Sections 1701.351(b) (relating to requiring TCOLE by rule to provide for waiver of the requirements of Section 1701.351 (Continuing Education Required for Peace Officers) when mitigating circumstances exist), (c) (relating to requiring TCOLE to credit a peace officer with meeting the continuing education requirements of Section 1701.351 if during the relevant 24-month period the peace officer serves on active duty as a member of the United States military for at least 12 months or serves as an elected member of the legislature), and (d) (relating to exempting a peace 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) do not apply to the training required by Subsection (a).

SECTION 3. Requires TCOLE, as soon as practicable after the effective date of this Act, to adopt rules to implement Sections 1701.253(q) and 1701.3525, Occupations Code, as added by this Act.

SECTION 4. Provides that the minimum curriculum requirements under Section 1701.253(q), Occupations Code, as added by this Act, apply only to an officer who first begins to satisfy those requirements on or after January 1, 2024.

SECTION 5. Makes application of Section 1701.3525, Occupations Code, as added by this Act, prospective.

SECTION 6. Effective date: September 1, 2023.