By:  Zaffirini, Paxton S.B. No. 1402

(In the Senate - Filed March 1, 2023; March 16, 2023, read first time and referred to Committee on Criminal Justice; April 27, 2023, reported adversely, with favorable Committee Substitute by the following vote: Yeas 6, Nays 0; April 27, 2023, sent to printer.)

COMMITTEE VOTE

               Yea Nay Absent  PNV

Whitmire        X

Flores          X

Bettencourt               X

Hinojosa        X

Huffman         X

King            X

Miles           X

COMMITTEE SUBSTITUTE FOR S.B. No. 1402 By:  Flores

A BILL TO BE ENTITLED

AN ACT

relating to the composition, continuation, and duties of the Sexual Assault Survivors' Task Force, compensation for task force members and certain other task force participants, and establishment of a mandatory training program for peace officers on responding to reports of child sexual abuse and adult sexual assault.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1.  Section 772.0064, Government Code, is amended by amending Subsections (d) and (m) and adding Subsection (n) to read as follows:

(d)  The task force is composed of the following members:

(1)  the governor or the governor's designee;

(2)  a representative of each state agency that has duties relating to the prevention, investigation, or prosecution of sexual assault or other sex offenses or provides services to survivors, including:

(A)  the office of the attorney general; [~~and~~]

(B)  the Health and Human Services Commission; and

(C)  the Department of Family and Protective Services;

(3)  the executive director of the Texas Commission on Law Enforcement or the executive director's designee;

(4)  the presiding officer of the Texas Forensic Science Commission or the presiding officer's designee;

(5)  the division director of the law enforcement support division of the Texas Department of Public Safety with authority over the Crime Laboratory Service or the division director's designee;

(6)  the president of the Texas Association of Crime Laboratory Directors or the president's designee;

(7)  the president of the Texas District and County Attorney's Association or the president's designee;

(8)  [~~the president of the Texas Society of Pathologists or the president's designee;~~

[~~(9)~~]  the president of the International Association of Forensic Nurses Texas Chapter or the president's designee;

(9) [~~(10)~~]  the president of the statewide organization described by Section 264.409, Family Code, or the president's designee;

(10) [~~(11)~~]  the president of the state sexual assault coalition, as defined by Section 420.003, or the president's designee;

(11) [~~(12)~~]  a representative from a law enforcement agency appointed by the steering committee described by Subsection (c);

(12) [~~(13)~~]  a sexual assault nurse examiner appointed by the steering committee described by Subsection (c) to represent the interests of health care facilities that perform sexual assault forensic exams;

(13)  an adult survivor of child sexual abuse or the parent or guardian of a survivor of child sexual abuse;

(14)  a survivor of adult sexual assault; and

(15) [~~(14)~~]  other members considered appropriate by the steering committee described by Subsection (c).

(m)  Chapter 2110 does not apply to the composition or duration of the task force or to the designation of the task force's presiding officer [~~This section expires September 1, 2023~~].

(n)  A task force member who is not employed by a state agency or an individual invited by the governor to participate in scheduled task force meetings is entitled to:

(1)  a per diem in the amount provided by the General Appropriations Act for each day the member performs duties as a task force member or the individual attends a task force meeting; and

(2)  reimbursement for actual and necessary expenses incurred in performing duties as a member or participant of the task force, as applicable.

SECTION 2.  Section 1701.253, Occupations Code, is amended by adding Subsection (q) to read as follows:

(q)  As part of the minimum curriculum requirements, the commission shall require an officer to complete the basic education and training program developed under Section 1701.272. An officer shall complete the program not later than the last day of the first full continuing education training period 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.

SECTION 3.  Subchapter F, Chapter 1701, Occupations Code, is amended by adding Section 1701.272 to read as follows:

Sec. 1701.272.  TRAINING PROGRAM ON RESPONDING TO SEXUAL ABUSE OR ASSAULT. (a) The commission shall, in consultation with the Sexual Assault Survivors' Task Force established under Section 772.0064, Government Code, establish a basic education and training program on child sexual abuse and adult sexual assault, including the use of best practices and trauma-informed response techniques to effectively recognize, investigate, and document those cases. The training program must consist of at least eight hours of instruction.

(b)  The commission shall require an officer to complete the training program unless the officer has completed the training under Section 1701.253(q) or other training equivalent to the training program as determined by the commission.

SECTION 4.  Section 1701.253(b-2), Occupations Code, is repealed.

SECTION 5.  Not later than January 1, 2024, the Texas Commission on Law Enforcement shall establish the training program required by Section 1701.272, Occupations Code, as added by this Act.

SECTION 6.  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 7.  This Act takes effect September 1, 2023.

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