

By: Zaffirini, et al.

S.B. No. 1402

(Howard, Guillen, Neave Criado, Garcia, Harless, et al.)

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the composition, continuation, and duties of the Sexual
3 Assault Survivors' Task Force, compensation for task force members
4 and certain other task force participants, and establishment of a
5 mandatory training program for peace officers on responding to
6 reports of child sexual abuse and adult sexual assault.

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

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

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

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

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

17 (A) the office of the attorney general; ~~and~~

18 (B) the Health and Human Services Commission; and

19 (C) the Department of Family and Protective
20 Services;

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

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

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

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

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

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

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

13 (9) ~~(10)~~ the president of the statewide
14 organization described by Section 264.409, Family Code, or the
15 president's designee;

16 (10) ~~(11)~~ the president of the state sexual assault
17 coalition, as defined by Section 420.003, or the president's
18 designee;

19 (11) ~~(12)~~ a representative from a law enforcement
20 agency appointed by the steering committee described by Subsection
21 (c);

22 (12) ~~(13)~~ a sexual assault nurse examiner appointed
23 by the steering committee described by Subsection (c) to represent
24 the interests of health care facilities that perform sexual assault
25 forensic exams;

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

1 (14) a survivor of adult sexual assault; and

2 (15) [~~(14)~~] other members considered appropriate by
3 the steering committee described by Subsection (c).

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

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

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

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

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

18 (q) As part of the minimum curriculum requirements, the
19 commission shall require an officer to complete the basic education
20 and training program developed under Section 1701.272. An officer
21 shall complete the program not later than the last day of the first
22 full continuing education training period after the date the
23 officer is licensed under this chapter unless the officer completes
24 the program as part of the officer's basic training course.

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

27 Sec. 1701.272. TRAINING PROGRAM ON RESPONDING TO SEXUAL

1 ABUSE OR ASSAULT. (a) The commission shall, in consultation with
2 the Sexual Assault Survivors' Task Force established under Section
3 772.0064, Government Code, establish a basic education and training
4 program on child sexual abuse and adult sexual assault, including
5 the use of best practices and trauma-informed response techniques
6 to effectively recognize, investigate, and document those cases.
7 The training program must consist of at least eight hours of
8 instruction.

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

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

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

19 SECTION 6. The minimum curriculum requirements under
20 Section 1701.253(q), Occupations Code, as added by this Act, apply
21 only to an officer who first begins to satisfy those requirements on
22 or after January 1, 2024.

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