

1-1 By: Zaffirini, Paxton S.B. No. 1402  
 1-2 (In the Senate - Filed March 1, 2023; March 16, 2023, read  
 1-3 first time and referred to Committee on Criminal Justice;  
 1-4 April 27, 2023, reported adversely, with favorable Committee  
 1-5 Substitute by the following vote: Yeas 6, Nays 0; April 27, 2023,  
 1-6 sent to printer.)

1-7 COMMITTEE VOTE

|                  | Yea | Nay | Absent | PNV |
|------------------|-----|-----|--------|-----|
| 1-8 Whitmire     | X   |     |        |     |
| 1-9 Flores       | X   |     |        |     |
| 1-10 Bettencourt |     |     | X      |     |
| 1-11 Hinojosa    | X   |     |        |     |
| 1-12 Huffman     | X   |     |        |     |
| 1-13 King        | X   |     |        |     |
| 1-14 Miles       | X   |     |        |     |

1-16 COMMITTEE SUBSTITUTE FOR S.B. No. 1402 By: Flores

1-17 A BILL TO BE ENTITLED  
 1-18 AN ACT

1-19 relating to the composition, continuation, and duties of the Sexual  
 1-20 Assault Survivors' Task Force, compensation for task force members  
 1-21 and certain other task force participants, and establishment of a  
 1-22 mandatory training program for peace officers on responding to  
 1-23 reports of child sexual abuse and adult sexual assault.

1-24 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-25 SECTION 1. Section 772.0064, Government Code, is amended by  
 1-26 amending Subsections (d) and (m) and adding Subsection (n) to read  
 1-27 as follows:

1-28 (d) The task force is composed of the following members:

1-29 (1) the governor or the governor's designee;

1-30 (2) a representative of each state agency that has  
 1-31 duties relating to the prevention, investigation, or prosecution of  
 1-32 sexual assault or other sex offenses or provides services to  
 1-33 survivors, including:

1-34 (A) the office of the attorney general; ~~and~~

1-35 (B) the Health and Human Services Commission; and

1-36 (C) the Department of Family and Protective  
 1-37 Services;

1-38 (3) the executive director of the Texas Commission on  
 1-39 Law Enforcement or the executive director's designee;

1-40 (4) the presiding officer of the Texas Forensic  
 1-41 Science Commission or the presiding officer's designee;

1-42 (5) the division director of the law enforcement  
 1-43 support division of the Texas Department of Public Safety with  
 1-44 authority over the Crime Laboratory Service or the division  
 1-45 director's designee;

1-46 (6) the president of the Texas Association of Crime  
 1-47 Laboratory Directors or the president's designee;

1-48 (7) the president of the Texas District and County  
 1-49 Attorney's Association or the president's designee;

1-50 (8) ~~the president of the Texas Society of~~  
 1-51 ~~Pathologists or the president's designee;~~

1-52 ~~[(9)]~~ the president of the International Association  
 1-53 of Forensic Nurses Texas Chapter or the president's designee;

1-54 (9) ~~[(10)]~~ the president of the statewide  
 1-55 organization described by Section 264.409, Family Code, or the  
 1-56 president's designee;

1-57 (10) ~~[(11)]~~ the president of the state sexual assault  
 1-58 coalition, as defined by Section 420.003, or the president's  
 1-59 designee;

1-60 (11) ~~[(12)]~~ a representative from a law enforcement

2-1 agency appointed by the steering committee described by Subsection  
2-2 (c);

2-3 (12) [~~(13)~~] a sexual assault nurse examiner appointed  
2-4 by the steering committee described by Subsection (c) to represent  
2-5 the interests of health care facilities that perform sexual assault  
2-6 forensic exams;

2-7 (13) an adult survivor of child sexual abuse or the  
2-8 parent or guardian of a survivor of child sexual abuse;

2-9 (14) a survivor of adult sexual assault; and

2-10 (15) [~~(14)~~] other members considered appropriate by  
2-11 the steering committee described by Subsection (c).

2-12 (m) Chapter 2110 does not apply to the composition or  
2-13 duration of the task force or to the designation of the task force's  
2-14 presiding officer [~~This section expires September 1, 2023~~].

2-15 (n) A task force member who is not employed by a state agency  
2-16 or an individual invited by the governor to participate in  
2-17 scheduled task force meetings is entitled to:

2-18 (1) a per diem in the amount provided by the General  
2-19 Appropriations Act for each day the member performs duties as a task  
2-20 force member or the individual attends a task force meeting; and

2-21 (2) reimbursement for actual and necessary expenses  
2-22 incurred in performing duties as a member or participant of the task  
2-23 force, as applicable.

2-24 SECTION 2. Section 1701.253, Occupations Code, is amended  
2-25 by adding Subsection (q) to read as follows:

2-26 (q) As part of the minimum curriculum requirements, the  
2-27 commission shall require an officer to complete the basic education  
2-28 and training program developed under Section 1701.272. An officer  
2-29 shall complete the program not later than the last day of the first  
2-30 full continuing education training period after the date the  
2-31 officer is licensed under this chapter unless the officer completes  
2-32 the program as part of the officer's basic training course.

2-33 SECTION 3. Subchapter F, Chapter 1701, Occupations Code, is  
2-34 amended by adding Section 1701.272 to read as follows:

2-35 Sec. 1701.272. TRAINING PROGRAM ON RESPONDING TO SEXUAL  
2-36 ABUSE OR ASSAULT. (a) The commission shall, in consultation with  
2-37 the Sexual Assault Survivors' Task Force established under Section  
2-38 772.0064, Government Code, establish a basic education and training  
2-39 program on child sexual abuse and adult sexual assault, including  
2-40 the use of best practices and trauma-informed response techniques  
2-41 to effectively recognize, investigate, and document those cases.  
2-42 The training program must consist of at least eight hours of  
2-43 instruction.

2-44 (b) The commission shall require an officer to complete the  
2-45 training program unless the officer has completed the training  
2-46 under Section 1701.253(q) or other training equivalent to the  
2-47 training program as determined by the commission.

2-48 SECTION 4. Section 1701.253(b-2), Occupations Code, is  
2-49 repealed.

2-50 SECTION 5. Not later than January 1, 2024, the Texas  
2-51 Commission on Law Enforcement shall establish the training program  
2-52 required by Section 1701.272, Occupations Code, as added by this  
2-53 Act.

2-54 SECTION 6. The minimum curriculum requirements under  
2-55 Section 1701.253(q), Occupations Code, as added by this Act, apply  
2-56 only to an officer who first begins to satisfy those requirements on  
2-57 or after January 1, 2024.

2-58 SECTION 7. This Act takes effect September 1, 2023.

2-59 \* \* \* \* \*