

By: Rose

H.B. No. 1855

A BILL TO BE ENTITLED

AN ACT

1
2 relating to training, continuing education, and weapons
3 proficiency standards for correctional officers employed by the
4 Texas Department of Criminal Justice.

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

6 SECTION 1. Chapter 493, Government Code, is amended by
7 adding Sections 493.032, 493.033, and 493.034 to read as follows:

8 Sec. 493.032. REQUIRED TRAINING FOR CORRECTIONAL OFFICERS.

9 (a) The department shall require each correctional officer
10 employed by the department to complete, during the correctional
11 officer's first 24 months of service, not less than 280 hours of
12 training, including:

13 (1) 140 hours of on-the-job training; and

14 (2) mental health crisis intervention training.

15 (b) The department by rule shall provide temporary
16 exceptions to the requirements of this section for a correctional
17 officer who cannot complete training within the 24-month period
18 required by Subsection (a) due to:

19 (1) a medical emergency involving the officer or a
20 member of the officer's family;

21 (2) the officer's active military service for a period
22 less than the period described by Subsection (d); or

23 (3) the officer's unit or facility being unable to
24 provide training in a timely manner due to severe weather or a

1 catastrophic event.

2 (c) An exception created by the department under Subsection
3 (b) must ensure compliance with the training requirements of this
4 section as soon as practicable after the 24-month period required
5 by Subsection (a).

6 (d) A correctional officer is not required to complete
7 training within the 24-month period required by Subsection (a) if
8 during that period the correctional officer serves on active duty
9 as a member of the United States military for at least 12 months,
10 provided that the correctional officer:

11 (1) may not be awarded credit for training not
12 completed during that period; and

13 (2) completes the required training as soon as
14 practicable after the 24-month period required by Subsection (a).

15 (e) Subsection (d) does not affect any requirement to
16 demonstrate continuing weapons proficiency under Section 493.034.

17 (f) The department shall indicate in the correctional
18 officer's personnel file that the officer has completed the
19 training required by this section.

20 (g) A correctional officer is not required to complete
21 training under this section if the officer's personnel file
22 indicates that the officer has completed the training required by
23 this section during a previous period of employment as a
24 correctional officer.

25 (h) The department may suspend or otherwise discipline a
26 correctional officer who fails to comply with the requirements of
27 this section.

1 Sec. 493.033. CONTINUING EDUCATION REQUIRED FOR
2 CORRECTIONAL OFFICERS. (a) The department shall require each
3 correctional officer employed by the department to complete at
4 least 80 hours of continuing education programs once every 24
5 months. The department may suspend or otherwise discipline a
6 correctional officer who fails to comply with this requirement.

7 (b) As part of the continuing education requirement under
8 Subsection (a), a correctional officer must complete a training and
9 education program that covers 40 hours of core requirements
10 designated by the department.

11 (c) The department shall develop specialized training for
12 correctional officers that may be credited toward continuing
13 education requirements.

14 (d) The department by rule shall provide temporary
15 exceptions to the continuing education requirements of this section
16 for a correctional officer who cannot meet the continuing education
17 requirements of this section due to:

18 (1) a medical emergency involving the officer or a
19 member of the officer's family;

20 (2) the officer's active military service for a period
21 less than the period described by Subsection (f); or

22 (3) the officer's unit or facility being unable to
23 provide training in a timely manner due to severe weather or a
24 catastrophic event.

25 (e) An exception created by the department under Subsection
26 (d) must ensure compliance with the continuing education
27 requirements of this section as soon as practicable after the

1 period required by this section.

2 (f) The department shall credit a correctional officer with
3 meeting the continuing education requirements of this section if
4 during the relevant 24-month period the correctional officer serves
5 on active duty as a member of the United States military for at
6 least 12 months. Credit for continuing education under this
7 subsection does not affect any requirement to demonstrate
8 continuing weapons proficiency under Section 493.034.

9 (g) The department shall credit toward the continuing
10 education requirements of this section training approved by the
11 Texas Commission on Law Enforcement.

12 (h) A correctional officer is not required to complete
13 continuing education under this section during the period in which
14 the officer is completing training under Section 493.032.

15 Sec. 493.034. CONTINUING DEMONSTRATION OF WEAPONS
16 PROFICIENCY. (a) The department shall designate one or more
17 firearms proficiency officers and require each correctional
18 officer employed by the department to demonstrate weapons
19 proficiency to a firearms proficiency officer at least annually.
20 The department shall maintain records of the weapons proficiency of
21 correctional officers.

22 (b) On request, the department may waive the requirement
23 that a correctional officer demonstrate weapons proficiency on a
24 determination by the department that the requirement causes a
25 hardship.

26 (c) The department by rule shall define weapons proficiency
27 for purposes of this section.

1 SECTION 2. Not later than January 1, 2016, the Texas
2 Department of Criminal Justice shall adopt rules as required by
3 Sections 493.032, 493.033, and 493.034, Government Code, as added
4 by this Act.

5 SECTION 3. (a) Section 493.032, Government Code, as added
6 by this Act, applies only to a correctional officer hired by the
7 Texas Department of Criminal Justice on or after the effective date
8 of this Act. A correctional officer hired before the effective date
9 of this Act is governed by the law in effect immediately before the
10 effective date of this Act, and that law is continued in effect for
11 that purpose.

12 (b) Sections 493.033 and 493.034, Government Code, as added
13 by this Act, apply to a correctional officer employed by the Texas
14 Department of Criminal Justice on or after the effective date of
15 this Act, regardless of whether the officer is hired before, on, or
16 after that date.

17 SECTION 4. This Act takes effect September 1, 2015.