

By: Cyrier

H. B. No. 1618

A BILL TO BE ENTITLED

# 1 AN ACT

2 relating to the provision of state death benefits to certain  
3 members of the Texas military forces.

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

5 SECTION 1. Section 615.003, Government Code, is amended to  
6 read as follows:

7 Sec. 615.003. APPLICABILITY. This chapter applies only to  
8 eligible survivors of the following individuals:

9 (1) an individual:

10 (A) elected, appointed, or employed as a peace  
11 officer by the state or a political subdivision of the state under  
12 Article 2.12, Code of Criminal Procedure, or other law; or

13 (B) employed as a peace officer by a private  
14 institution of higher education, including a private junior  
15 college, that is located in this state under Section [51.212](#),  
16 Education Code;

17 (2) a paid probation officer appointed by the director  
18 of a community supervision and corrections department who has the  
19 duties set out in Section 76.002 and the qualifications set out in  
20 Section 76.005 or who was appointed in accordance with prior law.

21 (3) a parole officer employed by the Texas Department  
22 of Criminal Justice who has the duties set out in Section 508.001  
23 and the qualifications set out in Section 508.113 or in prior law;

24 (4) a paid jailer;

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4 (6) a member of the class of employees of the  
5 correctional institutions division formally designated as  
6 custodial personnel under Section [615.006](#) by the Texas Board of  
7 Criminal Justice or its predecessor in function;

10 (A) performs a security, custodial, or  
11 supervisory function over the admittance, confinement, or  
12 discharge of prisoners; and

13 (B) is certified by the Texas Commission on Law  
14 Enforcement:

15 (8) a juvenile correctional employee of the Texas  
16 Juvenile Justice Department;  
17 (9) an employee of the Health and Human Services  
18 Commission [~~Department of Aging and Disability Services or~~  
19 ~~Department of State Health Services~~] who:

20 (A) works at the commission's [department's]  
21 maximum security unit; or

22 (B) performs on-site services for the Texas  
23 Department of Criminal Justice:

24 (10) an individual who is employed by the state or a  
25 political or legal subdivision and is subject to certification by  
26 the Texas Commission on Fire Protection;

(11) an individual employed by the state or a

1 political or legal subdivision whose principal duties are aircraft  
2 crash and rescue fire fighting;

3 (12) a member of an organized volunteer fire-fighting  
4 unit that:

5 (A) renders fire-fighting services without  
6 remuneration; and

7 (B) conducts a minimum of two drills each month,  
8 each two hours long;

9 (13) an individual who:

10 (A) performs emergency medical services or  
11 operates an ambulance;

12 (B) is employed by a political subdivision of the  
13 state or is an emergency medical services volunteer as defined by  
14 Section 773.003, Health and Safety Code; and

15 (C) is qualified as an emergency care attendant  
16 or at a higher level of training under Section 773.046, 773.047,  
17 773.048, 773.049, or 773.0495, Health and Safety Code;

18 (14) an individual who is employed or formally  
19 designated as a chaplain for:

20 (A) an organized volunteer fire-fighting unit or  
21 other fire department of this state or of a political subdivision of  
22 this state;

23 (B) a law enforcement agency of this state or of a  
24 political subdivision of this state; or

25 (C) the Texas Department of Criminal Justice;

26 (15) an individual who is employed by the state or a  
27 political subdivision of the state and who is considered by the

1 governmental employer to be a trainee for a position otherwise  
2 described by this section;

3 (16) an individual who is employed by the Department  
4 of Public Safety and, as certified by the director, is:

5 (A) deployed into the field in direct support of  
6 a law enforcement operation, including patrol, investigative,  
7 search and rescue, crime scene, on-site communications, or special  
8 operations; and

9 (B) given a special assignment in direct support  
10 of operations relating to organized crime, criminal interdiction,  
11 border security, counterterrorism, intelligence, traffic  
12 enforcement, emergency management, regulatory services, or special  
13 investigations; ~~or~~

14 (17) an individual who is employed by the Parks and  
15 Wildlife Department and, as certified by the executive director of  
16 the Parks and Wildlife Department, is:

17 (A) deployed into the field in direct support of  
18 a law enforcement operation, including patrol, investigative,  
19 search and rescue, crime scene, on-site communications, or special  
20 operations; and

21 (B) given a special assignment in direct support  
22 of operations relating to organized crime, criminal interdiction,  
23 border security, counterterrorism, intelligence, traffic  
24 enforcement, emergency management, regulatory services, or special  
25 investigations; or

26 (18) a member of the Texas military forces, as defined  
27 by Section 437.001:

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6 SECTION 2. The change in law made by this Act relating to  
7 the death of a member of the Texas military forces applies only in  
8 relation to a death that occurs on or after the effective date of  
9 this Act. Matters regarding eligibility, payment, and benefits  
10 under Chapter [615](#), Government Code, in relation to a death that  
11 occurs before the effective date of this Act are governed by the law  
12 in effect on the date the death occurs, and the former law is  
13 continued in effect for that purpose.

14 SECTION 3. This Act takes effect September 1, 2019.