

- SUBJECT:** Maintaining the Texas Peace Officers' Memorial and related archives
- COMMITTEE:** House Administration — favorable, with amendment
- VOTE:** 7 ayes — Hamric, Lewis, Dawson, Denny, Elkins, Giddings, Mercer
0 nays
4 absent — Berman, Puente, Taylor, West
- SENATE VOTE:** On final passage, April 10 — 31-0, on Local and Uncontested Calendar
- WITNESSES:** For — (*Registered, but did not testify:*) Keith Oakley, Texas Municipal Police Association
Against — None
- BACKGROUND:** Occupations Code, ch. 1701, subchapter Z, establishes a Texas Police Officers' Memorial Advisory Committee as part of the Commission on Law Enforcement Officer Standards and Education (CLEOSE) to oversee construction of a memorial on the Capitol grounds to honor Texas peace officers who have died in the line of duty. The Texas Peace Officers' Memorial, located northeast of the Capitol, was completed during 1999. A memorial service is held each odd-numbered year to honor fallen Texas peace officers. The most recent ceremony occurred on May 4-5, 2003.
- DIGEST:** SB 1567, as amended, would add Government Code, ch. 3105, requiring the State Preservation Board to establish a maintenance schedule and select people to maintain the peace officers' memorial. CLEOSE would have to:
- maintain historical and archival records of the officers and jailers honored on the memorial, which would have to be accessible to family members and independent researchers;
 - adopt rules and procedures for adding names to the memorial; and
 - raise money from private or public entities for continued maintenance and update of the memorial.

The commission could contract with public or private entities to facilitate research about law enforcement in Texas and to establish, maintain, and store historical records so that the information was available to the public.

A person's name could be inscribed on the memorial if the person was killed in the line of duty as:

- a law enforcement or peace officer for the state or a political subdivision;
- a federal law enforcement officer or special agent performing duties in the state; or
- a corrections or detention officer or a county or municipal jailer employed or appointed by a municipality, county, or state penal institution.

Money contributed for a purpose related to the memorial would have to be deposited in the Capitol fund to the credit of a separate interest-bearing account established for the memorial, which could be used only for purposes described by the new chapter. Income from investments of money in the account would have to be deposited to the credit of the account.

An entity that solicited funds for the memorial would have to send the money to the comptroller to be deposited in the memorial fund account within 30 days of the date on which the money was collected.

SB 1567 would repeal Occupations Code, ch. 1701, subchapter Z, related to the Texas Peace Officers' Memorial, and would abolish the existing advisory committee.

The bill would take immediate effect if finally passed by a two-thirds record vote of the membership of each house. Otherwise, it would take effect September 1, 2003.

**SUPPORTERS
SAY:**

SB 1567 would ensure that the Texas Peace Officers' Memorial will continue to honor the memory of fallen peace officers. The advisory board's authority lapsed once the memorial was completed. This bill would authorize the State Preservation Board to maintain the memorial as it maintains all other memorials and facilities on the Capitol grounds. It also would ensure that

additional information about these peace officers would be collected and kept available to the officers' families and the public.

The Peace Officers' Memorial Foundation, a tax-exempt nonprofit charitable organization created more than 13 years ago by members of the Combined Law Enforcement Associations of Texas, estimates that more than 750 Texas law enforcement officers have been killed in the line of duty since 1824. SB 1567 would allow private groups such as the foundation to continue fund-raising efforts for the memorial and related programs. It would ensure that donations would be deposited in the memorial fund so that they would be available for maintaining and updating the memorial.

OPPONENTS
SAY:

No apparent opposition.

NOTES:

The committee amendment would add provisions to the Senate engrossed version of SB 1567 that would:

- establish the 30-day deadline for depositing funds raised for the peace officers' memorial, and
- add federal law enforcement officers or special agents killed while performing duties in Texas to the list of those eligible to have their names on the memorial.

Rep. Hamric plans to offer a floor amendment that would require that any entity collecting funds for the peace officer's memorial send the money to CLEOSE rather than to the comptroller and would eliminate the requirement that the money be deposited within 30 days of its collection.