

## BILL ANALYSIS

Senate Research Center  
78R6593 KEG-F

S.B. 1042  
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Infrastructure Development and Security  
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As Filed

### DIGEST AND PURPOSE

Currently, there is not an established federal grant program to assist political subdivisions in preparing for incidents of possible domestic terrorism. There is a need for first response personnel to be adequately trained in responding to potential chemical and/or biological agent releases, identifying and disposing of unexploded weaponry, and managing and responding to any type of domestic terrorist incident. As proposed, S.B. 1042 establishes a mechanism in which the Texas Commission on Law Enforcement Officer Standards and Education (TCLEOSE) may take advantage of the federal funding available and disperse such funds to certain law enforcement agencies for domestic preparedness training that has been approved by TCLEOSE.

### RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

### SECTION BY SECTION ANALYSIS

SECTION 1. Amends Chapter 1701F, Occupations Code, by adding Section 1701.258, as follows:

Sec. 1701.258. DOMESTIC PREPAREDNESS TRAINING PROGRAMS FOR LAW ENFORCEMENT OFFICERS. (a) Defines "domestic preparedness training" and "law enforcement department."

(b) Requires a law enforcement department to implement a program of domestic preparedness training for its law enforcement officers that includes instructional or informational domestic preparedness training courses certified by the Commission on Law Enforcement Officer Standards and Education (TCLEOSE).

(c) Requires TCLEOSE to apply for federal funding available for domestic preparedness training of law enforcement officers. Requires TCLEOSE, if TCLEOSE obtains a federal grant for domestic preparedness training of law enforcement officers, to perform certain functions.

(d) Requires TCLEOSE to administer a grant program under this section in accordance with federal and state guidelines and prohibits the use of more than three percent of the grant funds for administration of the grant program.

(e) Requires a law enforcement department, on request of TCLEOSE, to provide timely information to help TCLEOSE determine the appropriate allocation of funding under this section for that law enforcement department.

(f) Requires the head of a law enforcement department to maintain a complete and detailed written record of any federal money related to domestic preparedness training that the law enforcement department receives from TCLEOSE and is required to spend in accordance with this section. Authorizes TCLEOSE to audit any funding received under this section by a law enforcement department for a

domestic preparedness training program. Authorizes the state auditor to audit any money spent by a law enforcement department for a domestic preparedness training program under this section.

SECTION 2. Requires TCLEOSE, not later than January 1, 2004, to:

- (1) apply for federal funding available for domestic preparedness training of law enforcement officers as required by Section 1701.258, Occupations Code, as added by this Act;
- (2) develop procedures to administer a federal grant program for domestic preparedness training of law enforcement officers in accordance with that section; and
- (3) develop requirements and procedures for certification of appropriate domestic preparedness training courses as required by that section.

SECTION 3. Requires TCLEOSE, not later than March 1, 2004, to review and certify appropriate domestic preparedness training courses available through Texas A&M University's Texas Engineering Extension Service and its National Emergency Response and Rescue Training Center that meet the requirements and procedures for certification developed by TCLEOSE.

SECTION 4. Effective date: upon passage or September 1, 2003.