

BILL ANALYSIS

Senate Research Center

C.S.S.B. 1722
By: Ogden
Criminal Justice
4/5/2007
Committee Report (Substituted)

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Physical fitness and appearance are important to a law enforcement officer, in order that the officer's ability to perform assigned functions is not compromised.

C.S.S.B. 1722 requires each law enforcement agency to adopt physical fitness and appearance standards that a Schedule C law enforcement officer must meet in order to continue employment with the agency, and that a violation of such standards is just cause to discharge or transfer an officer to a position not compensated according to Schedule C, unless the law enforcement agency exempts an individual officer based on individual facts and circumstances of the case.

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 614, Government Code, by adding Subchapter H, as follows:

SUBCHAPTER H. STANDARDS FOR CERTAIN LAW ENFORCEMENT OFFICERS

Sec. 614.151. DEFINITIONS. Defines "law enforcement agency" and "law enforcement officer."

Sec. 614.152. PHYSICAL FITNESS AND APPEARANCE STANDARDS. (a) Requires each law enforcement agency (agency), out of appropriated funds, to adopt physical fitness and appearance standards that a law enforcement officer (officer) is required to meet to continue employment as an officer with the agency. Requires the standards adopted by an agency other than the Department of Public Safety (DPS) to be at least as stringent as those adopted by DPS. Provides that a violation of a standard adopted under this subsection is just cause to discharge or transfer of an officer to a position not compensated according to Schedule C of the position classification salary schedule prescribed by the General Appropriations Act, except as provided by Subsection (b).

(b) Authorizes an agency to exempt an officer from a standard under Subsection (a) based on the facts and circumstances of the individual case, including whether the officer was injured in the line of duty.

SECTION 2. Requires DPS, the Texas Alcoholic Beverage Commission, the Texas Department of Criminal Justice, and the Parks and Wildlife Department to each adopt the standards required by Section 614.152, Government Code, as added by this Act, not later than November 1, 2007.

SECTION 3. Effective date: September 1, 2007.