

## **BILL ANALYSIS**

H.B. 3526  
By: Rose  
Homeland Security & Public Safety  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

In 2014, the body of two-year-old Colton Turner was discovered in a shallow grave in Southeast Austin after having been missing for weeks. At the time of his death, Colton had two active cases on his welfare open, although this information was not available for peace officers and, as such, did not afford the officer who encountered Colton's mother in a traffic stop months before his death an opportunity to take action that could have preserved Colton's life. This unfortunate event led to the creation of a child safety check alert list under which law enforcement officers are able to match certain children with related adults in an attempt to locate the child if the child goes missing. H.B. 3526 seeks to make certain requirements and training related to the use of that list applicable to a wider array of public safety employees to better ensure the safety of some of the most vulnerable children in Texas.

### **CRIMINAL JUSTICE IMPACT**

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that rulemaking authority is expressly granted to the Texas Commission on Law Enforcement in SECTIONS 9 and 10 of this bill.

### **ANALYSIS**

H.B. 3526 amends the Code of Criminal Procedure and Family Code to expand the scope of provisions governing the response of a peace officer or law enforcement officer after locating a person listed on the Texas Crime Information Center's child safety check alert list and provisions providing for the removal of a located child from the alert list to make those provisions applicable to a peace officer, parole officer, juvenile probation officer, juvenile supervision officer, juvenile correctional officer, juvenile parole officer, supervision officer, or county jailer.

H.B. 3526 amends the Family Code to make the requirement that the child safety check alert list progress report include certain information relating to completion of the related Texas Commission on Law Enforcement (TCOLE) training program applicable to peace officers who complete the training.

H.B. 3526 amends the Government Code to condition a person's eligibility for appointment as an officer who supervises defendants placed on community supervision on the person completing a training course on the child safety check alert list that is substantially similar to the education and training program regarding that alert list established by TCOLE. The bill requires the Texas Department of Criminal Justice to develop and provide specialized training for parole officers on that alert list and requires the training to be substantially similar to the education and training program established by TCOLE.

H.B. 3526 amends the Human Resources Code to require the Texas Juvenile Justice Department (TJJD) to provide training on the child safety check alert list during the preservice training TJJD provides juvenile probation officers, juvenile supervision officers, juvenile correctional officers, and juvenile parole officers that is substantially similar to the applicable training provided by TCOLE.

H.B. 3526 amends the Occupations Code to require TCOLE, as part of the minimum school curriculum requirements for law enforcement officers, to require a peace officer or reserve law enforcement officer to complete the education and training program established by TCOLE on the child safety check alert list. The bill requires such an officer to complete the program not later than the second anniversary of the date the officer is licensed by TCOLE, unless the officer completes the program as part of the officer's basic training course. The bill authorizes TCOLE to require by rule that a county that appoints or employs a county jailer provide the jailer with training that is substantially similar to that education and training program. The bill requires TCOLE, not later than December 31, 2019, to adopt the rules necessary to implement these provisions.

**EFFECTIVE DATE**

September 1, 2019.