PUBLICATION IN *TEXAS REGISTER*

The Texas Commission on Law Enforcement (Commission) adopts amended 37 Texas Administrative Code §211.29, Responsibilities of Agency Chief Administrators, with non-substantive changes to the proposed text as published in the May 22, 2026 issue of the *Texas Register* (51 TexReg 3537). The rule will be republished.

The adopted amended rule conforms with the amendments made by House Bill 33 (89R). It requires a chief administrator to submit a preliminary report within 45 days and then a final report within 90 days that evaluates the response by the law enforcement agency to an active shooter incident at a primary or secondary school.

Also, the adopted amendment requires a chief administrator to report to the Commission successful completion of personnel orientation and field training by a licensee. This will reduce delays for licensees in achieving basic proficiency certificates and will reduce administrative burdens for the Commission in issuing basic proficiency certificates. This will also allow the Commission to better track which law enforcement agencies are providing the required training to licensees.

Finally, the adopted amendment requires a chief administrator to report to the Commission that certain individuals do not meet the minimum standards for enrollment or initial licensure. This will help the Commission to sooner identify those who are potentially ineligible for a license.

The public comment period began on May 22, 2026, and ended on June 25, 2026, at the conclusion of the public meeting of the Commission. No public comments were received.

The amended rule is adopted pursuant to Texas Government Code §418.1873, Evaluation and Report on Response to Active Shooter Incident at School Facility Required for Certain Entities, Texas Occupations Code §1701.151, General Powers of Commission; Rulemaking Authority, and Texas Occupations Code §1701.402, Proficiency Certificates. Texas Government Code §418.1873 requires the Commission to adopt rules with respect to local law enforcement agencies for evaluating responses to active shooter incidents at primary or secondary schools. Texas Occupations Code §1701.151 authorizes the Commission to adopt rules for the administration of Occupations Code Chapter 1701 and to establish minimum standards relating to the competence and reliability, including the education, training, physical, and mental standards, for licensing as an officer, county jailer, or telecommunicator. Texas Occupations Code §1701.402 requires law enforcement agencies to provide training relating to employment issues that affect peace officer, telecommunicators, and county jailers and makes this training a requirement for a basic proficiency certificate.

The amended rule as adopted affects or implements Texas Government Code §418.1873, Evaluation and Report on Response to Active Shooter Incident at School Facility Required for Certain Entities, Texas Occupations Code §1701.151, General Powers of Commission; Rulemaking Authority, and Texas Occupations Code §1701.402, Proficiency Certificates. No other code, article, or statute is affected by this adoption.

The adopted amended rule has been reviewed by legal counsel and found to be a valid exercise of the Commission's legal authority.

§211.29. Responsibilities of Agency Chief Administrators.
(a) An agency chief administrator is responsible for making any and all reports and submitting any and all documents required of that agency by the commission.
(b) An individual who is appointed or elected to the position of the chief administrator of a law enforcement agency shall notify the Commission of the date of appointment and title, through a form prescribed by the Commission within 30 days of such appointment.
(c) An agency chief administrator must comply with the appointment and retention requirements under Texas Occupations Code, Chapter 1701.
(d) An agency chief administrator must report to the commission within 30 days, any change in the agency's name, physical location, mailing address, electronic mail address, or telephone number.
(e) An agency chief administrator must report, in a standard format, incident-based data compiled in accordance with Texas Occupations Code §1701.164.
(f) For purposes of this subsection, an active shooter incident is an incident involving one or more individuals actively engaged in killing or attempting to kill people in a populated area. Following a response to an active shooter incident at a primary or secondary school facility by any member of a law enforcement agency, the agency chief administrator must submit to the commission on a form prescribed by the commission:
(1) a preliminary report on an evaluation of the agency's response to the incident within 45 days of the incident, or as soon as practicable thereafter; and
(2) a final report on an evaluation of the agency's response to the incident within 90 days of the incident, or as soon as practicable thereafter.
(g) Line of duty deaths shall be reported to the commission in current peace officers' memorial reporting formats.
(h) An agency chief administrator must report to the commission on a form prescribed by the commission within seven days of discovery by any member of the agency that one of the following does not currently meet or did not meet the minimum standards for enrollment or initial licensure at the time of application, enrollment, or appointment:
(1) a licensee applying for enrollment or appointment with the agency;
(2) a person enrolled in the agency's academy;
(3) a person enrolled in any academy and sponsored by the agency; or
(4) a licensee appointed with the agency.
(i) An agency chief administrator has an obligation to determine that all appointees are able to safely and effectively perform the essential job functions. An agency chief administrator may require a fit for duty review upon identifying factors that indicate an appointee may no longer be able to perform job-related functions safely and effectively. These factors should be based on objective evidence and a reasonable basis that the cause may be attributable to a medical or psychological condition or impairment.
(j) An agency chief administrator shall notify the commission of any failed medical (L-2) or psychological (L-3) examination within 30 days on a form prescribed by the commission. An

agency chief administrator shall notify the commission upon a final determination of a failed fit-for-duty examination (FFDE) or drug screen within 30 days on a form prescribed by the commission.

(k) An agency must provide training on employment issues identified in Texas Occupations Code §1701.402 and field training. If successfully completed, the agency must report these trainings to the commission within 30 days.

(l) An agency must provide continuing education training required in Texas Occupations Code §1701.351 and §1701.352.

(m) Before an agency appoints any licensee to a position requiring a commission license it shall complete the reporting requirements of Texas Occupations Code §1701.451.

(n) An agency appointing a person who does not hold a commission license must file an application for the appropriate license with the commission.

(o) An agency must notify the commission electronically following the requirements of Texas Occupations Code §1701.452, when a person under appointment with that agency resigns or is terminated.

(p) An agency chief administrator must comply with orders from the commission regarding the correction of a report of resignation/termination or request a hearing from SOAH.

(q) An agency chief administrator must:

(1) at the time the agency becomes aware of an allegation of misconduct, as defined in the model policy required by Texas Occupations Code § 1701.4522(a)(1), that may result in suspension, demotion, or termination, initiate an appropriate administrative or criminal investigation into alleged misconduct of a licensee who was appointed by the law enforcement agency at the time the alleged misconduct occurred;

(2) ensure completion of the investigation into alleged misconduct in a timely manner consistent with the law enforcement agency's policies even if the licensee has separated from the law enforcement agency;

(3) submit a report of a completed investigation into alleged criminal misconduct for which criminal charges are filed against a licensee to the commission within 30 days after the investigation is completed on a form prescribed by the commission;

(4) submit a report of a completed investigation into alleged administrative misconduct to the commission in a timely manner, but not later than 30 days after the licensee's separation from the law enforcement agency, on a form prescribed by the commission;

(5) if the investigative findings or disciplinary action taken are appealed, notify the commission that the matter is under appeal and notify the commission of the disposition of an appeal within 30 days after receipt of the decision; and

(6) include documentation of the completed investigation in the licensee's personnel or department file, as appropriate.

(r) An agency chief administrator must:

(1) maintain a personnel file and department file for each licensee appointed with the law enforcement agency;

(2) submit to the commission a complete copy of the personnel file of a licensee within 30 days after separation of the licensee from the law enforcement agency in a manner prescribed by the commission; and

(3) submit to the commission a complete copy of the personnel file and department file of a licensee upon request as part of an ongoing investigation relating to the licensee.

(s) Except in the case of a commission error, an agency that wishes to report a change to any information within commission files about a licensee shall do so in a request to the commission, containing:

(1) the licensees name, date of birth, last four digits of the social security number, or PID;

(2) the requested change; and

(3) the reason for the change.

(t) An agency chief administrator may not appoint an applicant subject to pending administrative action based on:

(1) enrollment or licensure ineligibility; or

(2) statutory suspension or revocation.

(u) The effective date of this section is September 1, 2026.