

Legislation and procedural changes affecting
Texas Commission on Law Enforcement Officer Standards and Education

8/30/1965 Senate Bill (SB) 236 of the 59th Legislative Session passed Article 4413 (29aa), V.C.S., creating the Commission. No money was appropriated for agency implementation.

9/1/1967 The 60th Legislative Session appropriated money – Wallace D. Beasley appointed as Director, plus four employees.

Glen H. McLaughlin served as the first Chairman of the Commission on Law Enforcement Officer Standards and Education.

Voluntary program of certification was implemented and three levels of peace officers were provided: Basic, Intermediate, and Advanced.

9/20/1968 First peace officer certifications awarded by the Commission.

9/1/1969 SB 10 of the 61st Legislative Session amended the original act to provide that all new peace officers appointed on or after 9/1/1970 must meet certain employment and certification standards established by the Commission.

Legislation identified “peace officers” as those in Art. 2.12, CCP.

Commission empowered to revoke a certification for violation of standards, and automatic revocation for commission of a felony offense.

9/1/1970 Peace officers required to be certified by the Commission prior to appointment.

Grandfather exemption was given for those appointed and active on this date.

A temporary certification allowed an agency to appoint a person and send them to training within a one-year period following the date of appointment.

School certification established (academies).

Basic Peace Officer Course (BPOC) created as 140 hours minimum with 1 year allowed for training.

Field services division created.

Minimum standards for employment set, including high school diploma or GED.

Rule prohibited peace officer from being employed if convicted of Driving While Intoxicated (DWI) or Driving Under the Influence of Drugs (DUID) with 10 years or ever convicted of a felony.

9/1/1971 SB 43 of the 62nd Legislative Session authorized the appointment of reserve law enforcement officers. Requiring certification prior to appointment and one year to obtain training.

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- 2/1/1972 Fred Toler appointed executive director.
- 1/1/1973 BPOC increased to 240 hours.
Basic reserve course of 70 hours created.
- 9/1/1975 House Bill (HB) 1203 of the 64th Legislative Session requires reporting of appointments and training.
HB 1205 established disqualification for felony conviction.
- 1/1/1976 Medical examinations required for licensure as a peace officer or reserve.
Psychological examinations recommended for licensure as a peace officer or reserve.
- 9/1/1977 HB 451 of the 65th Legislative Session establishes the LEOS fund, part of which is appropriated to the Commission budget.
HB 1396 changes the probationary period from one year to six months allowed for peace officer training. Laws changed to allow the same six months for reserves.
- 4/1/1978 Began requiring supporting documents to accompany peace officer and reserve applications with each employment. Date of appointment was date received; no backdating of files.
- 9/1/1979 Became mandatory to submit supporting documents with application, with penalty for non-reporting.
HB 628 of the 65th Legislative Session began certification of county jailers. Grandfather clause created for existing jailers. One-year temporary jailer license.
Psychological statement required with applications.
- 12/11/1979 Rule prohibited peace officer and reserve officers from being appointed if convicted of Driving While Intoxicated (DWI) or Driving Under the Influence of Drugs (DUID) with 10 years or ever convicted of a felony.
- 3/1/1980 Basic County Corrections Course (BCCC) approved for 36 hours.
- 1/1/1981 BPOC increased to 320 hours.
- 9/1/1981 HB 2236 of the 67th Legislative Session changed the probationary period for peace officers and reserves back to one year.
Changed certification to licenses– appointment standards same for peace officers, reserves, and county jailers.
“L” series forms created. Use of L-1A without supporting documents was begun.
SB 544 established weapons proficiency requirement for peace officers.

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- 10/1/1981 Instructor certificates became permanent.
- 3/1/1982 Licenses printed and distribution by field representatives began.
- 9/1/1983 SB 155 of the 68th Legislative Session required licensing exams for each license issued.
- Required all applicants for licensure to be of good moral character.
- Set continuing education training requirements for peace officers established. Agencies to provide a training program during a 24-month period, not to exceed 40 hours. Commission must approve courses.
- Grandfather licenses expired if the officers left their current agencies.
- Termination of grandfather exemption. (See **Note** Below.)
Note: During this period, beginning in October, all peace officer grandfathers were given a chance (notified by mail) to pass the state licensing exam in order to “get out from under the grandfather clause.” Those passing the exam were issued Basic Peace Officer certification. The last test date for grandfathering was 8/31/1984.
- Legislation became effective that provided for suspensions of licenses in addition to revocation.
- New legislation required 2 FBI fingerprint cards, CCH and L-3 Psychological Statement to be submitted with the L-1A if the individual has been out of law enforcement for a period of 180 days.
- Added to Art. 2.12, C.C.P. – water district personnel under 51.132, certain port authorities and state medical examiners.
- 10/19/1983 Minimum standards for retention of license established.
- Rule prohibited applicants for peace officer, reserve law enforcement officer, jailer or guard of a county jail from being appointed if on probation for a criminal offense or
if convicted of:
 Class A Misdemeanor within the last twelve months,
 Class B Misdemeanor within the last six months,
 DWI or DUID within the last two years, or
 a felony,
not under indictment for a felony, and
not ever confessed to a felony.
U.S. citizenship required.
- 1/1/1984 F-6 forms discontinued. Class rosters keypunched and kept by Academy Evaluation section.

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- 8/1/1984 Crime Prevention Inspector certificates added to Commission certifications.
- 9/1/1984 Grandfather licenses expired if the officers left their current agencies on or after this date.
- Grandfather certificates no longer issued and grandfather officers no longer exempt from training requirements if newly employed after 9/1/1984.
- BCCC increased to 40 hours.
- 9/4/1984 Out-of-state officers and applicants with college degrees given three chances to pass the state licensing exams.
- 9/20/1984 Reserve officers with degrees required to test for compliance with training.
- 8/21/1985 Basic Peace Officer certificates and permanent licenses as well as Basic Reserve Certificates and permanent licenses will be issued if an L-1 is on file, training passed, and exam passed. (1 year of employment no longer required.) Jailer certificates and permanent licenses issued after 1 year of service.
- Certificates and licenses are issued on a weekly basis rather than monthly.
- Fingerprint cards classified by the FBI no longer have to be on file in order to issue the licenses and certificates.
- 9/1/1985 HB 1592 of the 69th Legislative Session requires a Constable appointed on or after 9/1/1985 to become licensed within two years.
- Authorizes re-activation procedures.
- Eliminated temporary licenses for peace officers (effective July 1, 1986)
- Added requirement that licensees must be free from drug dependency or illegal drug usage.
- Added the provision for reactivation of a peace officer license after a break in employment.
- Raised the minimum age for licensing as a peace officer or reserve officer to 21 (18 with 60 hours of college or two years in the United States Armed Forces).
- Required psychological exam must be conducted by a licensed psychologist or psychiatrist selected by the hiring agency.
- HB 987 required training in the investigation of cases involving abuse or neglect of children.

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BPOC increased to 400 hours.

College degree in law enforcement is no longer sufficient to qualify to take licensing exam. Now 7 course courses are required, as well as Law Enforcement 1 and Law Enforcement 2.

Three-level (Basic, Intermediate, Advanced) reserve training begins.

Basic - 145 hours
Intermediate - 131 hours
Advanced - 124 hours

Those who have been reserves and have been trained as such are “grandfathered” to Intermediate Reserve status.

Reserves who complete the basic peace officer course and pass the peace officer licensing exam are issued Basic Peace Officer certificates and permanent peace officer licenses.

Equating reserve training and in-service training to 240 hour basic peace officer course allows reserves to take peace officer licensing exam.

10/1/1985 Reserves and jailers begin to be tested after completing basic reserve and basic county jailer courses.

11/12/1985 Reserve training now becomes creditable towards peace officer certification.

11/15/1985 All 9995 (basic peace officer), 9998 (basic reserve) and 9997 (basic county jailer) courses are converted to new numbering system of 1000, 1002, and 1005.

7/1/1986 Temporary licenses for peace officers and reserves are discontinued. County jailers still have one year to receive training and pass the state licensing exam.

Provisional license rule is approved, allowing for the issuance of a provisional license under certain conditions such as manpower shortage.

Rule approved for peace officer and reserve officer minimum age exception. The rule thus requires an age of at least 21 unless the applicant has completed training or enrolled in basic training prior to 7/1/1986, has two years in the military and discharged, or has an Associate’s Degree or a total of 60 college semester hours. County jailer age requirements remain at 18 years.

L-1, L-2, and L-3 forms are revised. L-2A Drug Dependency Statement is added to back of L-2, for use in reporting subsequent employment after already being licensed.

7/1/1986 Peace officers and reserves must be trained and licensed prior to appointment.

1/1/1987 \$5.00 fee charged for duplicate license or certificate, along with written

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request. Fee must be cashier's check or money order.

Eligibility to test handled by district team leaders rather than licensing.
This included reactivations as well as out-of-state and college
equivalents.

Specific courses are required for peace officer intermediate certification, if
the Basic Peace Officer certificate is issued after 1/1/1987.

Reactivation rule passed, requiring training and/or passing of re-entry test
if peace officer (previously licensed) has been out of service (including
reserve status) for the past two-year period. Peace officer is allowed to
take the re-entry test once without training. If the test is failed, then the
applicant must complete the re-entry training and pass the test. Rule
states that the applicant is "unlicensed" and is not eligible to work as a
peace officer until after the test is passed (Effective date is 1/1/1987,
enforced 5/1/1987).

2/1/1987 Eligibility to test based on out-of-state reserve training or out of state jailer
training, provided that the other state has a certification or licensing
requirement.

Rule for Voluntary Surrender of License becomes effective.

5/1/1987 Enforcement of reactivation rule begins.

Amendment to Licensing Examination rule allows for any person
designated by the Executive Director to serve as "proctor" and no longer
requires a member of the Commission be present to administer the state
licensing exam.

9/1/1987 The 70th Legislative Session keeps the Commission in existence until
September 1, 1993 (Sunset Act).

VCS Article 4413(29aa) re-codified to Government Code 415.

HB 559 adds Public Security Officer appointment. Licensing course and
exam developed.

HB 750 requires Telecommunicator training.

HB 355 authorizes licensing exams to be conducted at locations other
than Commission offices if the local jurisdiction reimburses the costs.

SB 929 provides for Investigative Hypnosis certification.

SB 800 provides for the Commission to administer the Law Enforcement
Management Institute.

SB 619 amends the annual firearms proficiency to three or more officers.

1/1/1989 Conditional reserve licenses replaced reserve licenses.

2/1/1989 Licensing standard increases:

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Not on probation for any criminal offense above Class C
misdemeanor.

Academy licenses established.

Agreement training established.

Psychological examination required after break in service established.

5/18/1989 SB 892 creates the Texas Peace Officers' Memorial project.

6/14/1989 Training in the recognition of cases involving child abuse or neglect added to the continuing education requirements.

6/15/1989 Agency instruction required for recognition of child abuse or neglect, family violence, or sexual assault.

9/1/1989 SB 992 and HB 433 of the 71st Legislative Session provide for the awarding of Law Enforcement Achievement Awards.

HB 1947 requires that the 24 month continuing education training program not exceed 40 hours and include training on cases involving child abuse or neglect. Also included family violence and sexual assault.

HB 1495 added family violence and sexual assault to the basic peace officer course.

9/15/1989 The holder of an inactive peace officer license must reactivate their license to work as a reserve.

City Marshals elected on or after 5/26/1989 have two years to become licensed. Grandfather exemption is good only until elected.

9/1/1991 HB 1803 of the 72nd Legislative Session requires 20 hours of civil process training required for constable or deputy constables as part of the 40 hours required for all peace officers. Requirement may be waived if a hardship exists.

The 72nd Legislative Session keeps the Commission in existence until September 1, 1997 (Sunset Act).

SB 884 creates the State Office of Administrative Hearings (SOAH) and provides that they will begin hearing all contested administrative hearings on January 1, 1992.

3/1/1993 Intermediate and Advanced Jailer Proficiency certificates are created. Intermediate core courses are required of jailers who receive their Basic Jailer certificate after 3/1/1993.

Master Peace Officer certificate created. An application must be completed to receive the certificate.

9/1/1993 SB 252 of the 73rd Legislative Session added Section 614.061 to the Health and Safety Code to require a Memorandum of Understanding

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(MOU) with Texas Council on Offenders with Mental Impairments and
Texas Commission on Jail Standards for continuity of care for offenders
who are mentally impaired, elderly, physically disabled, terminally ill, or
significantly ill.

HB 771 provides for the certification of special officers for mental health assignments.

SB 339 establishes licensing requirement for sheriffs, becomes effective January 1, 1994.

SB 1227 adds conviction of barratry as a disqualifier for licensing as a peace officer.

HB 977 moved the Law Enforcement Management Institute to Sam Houston State University and renamed it the Bill Blackwood Law Enforcement Management Institute of Texas.

Agencies that appointment reserve law enforcement officers, county jailers, or public security officers may provide each of those with education and training in civil rights, racial sensitivity, and cultural diversity every 24 months.

9/1/1994 Dr. D.C. "Jim" Dozier appointed executive director.

BPOC increased to 560 hours.

12/1/1994 Reserve training courses increased:
Basic - 228 hours
Intermediate – 190 hours
Advanced – 142 hours

5/29/1995 SB 80 added issues concerning sex offender characteristics to the basic and continuing education courses, and provided that the required topics in the continuing education courses could not exceed 20 of the 40 hours. Also authorized the agency administrator to substitute other topics.

9/1/1995 HB 752 of the 74th Legislative Session requires the Commission to establish, by rule, enrollment standards for law enforcement training programs.

HB 1271 amended the duties of the committee for the Texas Peace Officers Memorial.

SB 1337 requires agencies to use curricula developed by the Commission for the required continuing education topics. The agency may supplement that curriculum.

Allows for the suspension of peace officer licenses for failure to complete the required continuing education (40 hours with required courses).

Appointing agency maintains licensing documents.

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Appointment of a convicted felon is a state jail felony.

A felony conviction is an automatic revocation of a license.

Deferred adjudication community supervision for a felony is an automatic suspension..

SB 225 amended the basic and continuing education topics to include training in the documentation of certain cases. This included “making a written account of the extent of the injuries sustained by the victim of an alleged offense”, “recording by photograph or videotape the area in which an alleged offense occurred and any injuries sustained by the victim”, and “recognizing and recording any statement of a victim that may be admissible as evidence in a future proceeding . . .”.

SB 1135 requires an employing agency to determine if the prospective employee has a prior law enforcement employment history and each agency must provide an explanation of the circumstances related to termination or separation.

Created a continuing education training fund for local law enforcement agencies.

Retired state employees (licensed before Jan. 1981 and current on Jan.1, 1995) are exempt from continuing education requirements.

12/1/1996 Licensing requirements increase:
not be on court-ordered community supervision or probation for any criminal offense above Class C misdemeanor,
not been convicted of above a Class C misdemeanor within the past 5 years.

Requirement for citizenship removed.

1/1/1997 BCCC increased to 80 hours.

9/1/1997 HB 1856 of the 75th Legislative Session continues the Commission until September 1, 2009 (Sunset Act).

Changed the appointment of commissioners (nine members and five ex-officio members appointed by the Governor).

SB 367 establishes minimum training and certification requirements for Contract Jailers.

HB 1856 changes on requirement for basic certificate:

- (1) one year of experience as a peace officer; and
- (2) successful completion of a course of instruction provided by the employing agency on federal and state statutes that relate to employment issues affecting peace officers and county jailers, including:
 - (A) civil service;
 - (B) compensation, including overtime compensation, and vacation

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time;
(C) personnel files and other employee records;
(D) management-employee relations in law enforcement organizations;
(E) work-related injuries;
(F) complaints and investigations of employee misconduct; and
(G) disciplinary actions and the appeal of disciplinary actions.

Identified Ex-officio member agencies.

SB 898 also identified Ex-officio member agencies.

HB 1747 and SB 12 allows for peace officers to be certified as mental health officers.

HB 1881 requires initial and continuing education for police chief in each 24-month period (96.641 Education Code).

HB 2909 requires MOU with Texas Department of Criminal Justice to create Supervision Officer Firearms certificates - Holders must re-apply every two years.

HB 1859 requires a risk assessment method to be established for training provider evaluations.

SB 367 (Jail Commission Sunset Bill) authorized the Commission to set training and certification of contract jailers.

- 3/1/1998 Firearms Instructor Proficiency certificates created. Grandfather status given for all training prior to 3/1/1999, after which a Commission course is required to be completed.
- 6/1/1998 Licensing standards increase:
not ever been convicted of misdemeanor or felony offense or placed on deferred adjudication community supervision for a misdemeanor or felony offense, if the offense directly relates to the duties and responsibilities of any office requiring such license.
- 5/10/1999 Texas Peace Officers' Memorial dedication.
- 6/19/1999 HB 2023 of the 76th Legislative Session authorizes the executive director to commission officers to investigate violations of 1701 Occupations Code.
- 6/21/1999 SB 1846 provides that information about officers killed in the line of duty are not subject to the Public Information Act.
- 8/30/1999 HB 2009 requires Constables to obtain a license within 270 days of taking office.
- 9/1/1999 HB 3155 re-codifies 415 Government Code to 1701 Occupations Code.

Changes the annual firearms qualification to at least two officers.

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HB 957 recognizes reserve officers with peace officer licenses as peace officers and must comply with the 40-hour training requirement.

SB 949 removed the Peace Officers' Memorial Advisory board and gave authority to the Preservation Board and the General Services Commission.

Academic Recognition Award established.

HB 2971 allows for TDCJ-trained personnel to be appointed as part-time county jailers without meeting training requirements of 415.054 (1701.310).

12/1/1999 Civil Process Certificate established.

6/1/2000 Decision made to allow contract jail license holders to use current training and testing if going to work at a county jail facility. Contract license must be valid or two-year rule would apply on training and testing.

3/1/2001 Rules revised to reflect Occupations Code.

Licensing requirements increase:

not ever have been or currently on court-ordered community supervision or probation for any criminal offense above the grade of Class B misdemeanor, or a Class B misdemeanor within the last ten years;

not currently under indictment for any criminal offense;

not ever have been convicted of an offense above the grade of a Class B misdemeanor, or a Class B misdemeanor within the last ten years;

never have been convicted of any family violence offense;

is not prohibited by state or federal law from operating a motor vehicle;

is not prohibited by state or federal law from possessing firearms or ammunition.

Fee schedule to be adopted and published.

Spanish added to Intermediate Certificate requirements.

requirement was not enforced until September 1, 2001.

5/1/2001 Fingerprint cards no longer sent to the Commission with the L-1.

9/1/2001 HB 815 of the 77th Legislative Session provides that the next of kin of a deceased Texas peace officer may request a state flag.

SB 1074 added racial profiling to continuing education requirements for peace officers.

SB 563 added criminal asset forfeiture proceedings to continuing education requirements.

HB 2881 amends peace officer continuing education requirements so that civil rights, racial sensitivity, and cultural diversity; and recognition of

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cases that involve child abuse, child neglect, family violence, and sexual assault, are to be taken once every 48 months. Also amended reserve law enforcement officer, county jailer, or public security officer requirements so that civil rights, racial sensitivity, and cultural diversity; and recognition of cases that involve child abuse, child neglect, family violence, and sexual assault, are to be taken once every 48 months.

HB 2585 requires motorcycle operator profiling awareness and sensitivity training.

HB 3491 requires training on dual arrests and the determination of predominant aggressors in family violence situations

- 12/7/2001 Commissioners direct ED to allow individuals with convictions above Class B to be licensed by satisfying an internal review process. This is the basis for the waiver rule adopted 3/1/2003.
- 1/1/2002 Spanish added to basic peace officer curriculum, hours expanded to 576.

Basic reserve course no longer taught.
- 3/1/2002 License requirements clarified:
 not ever have been on court-ordered community supervision or probation for any criminal offense above the grade of Class B misdemeanor, or a Class B misdemeanor within the last ten years from the date of the court order;
 not currently under indictment for any criminal offense;
 not ever have been convicted of an offense above the grade of a Class B misdemeanor, or a Class B misdemeanor within the last ten years;
 never have been convicted of any family violence offense;
 is not prohibited by state or federal law from operating a motor vehicle;
 is not prohibited by state or federal law from possessing firearms or ammunition.
- 8/1/2002 POSEIT training available.
- 3/1/2003 License requirements allow for waiver process:
 community supervision history:
 as not ever have been on court-ordered community supervision or probation for any criminal offense above the grade of Class B misdemeanor, or a Class B misdemeanor within the last ten years from the date of the court order;
 but
 the commission may approve the application of a person who received probation or court-ordered community supervision for a Class B misdemeanor at least five (5) years prior to application if an agency administrator sufficiently demonstrates in writing with supporting documentation that mitigating circumstances exist with the case and with the individual applying for licensure, and that the public interest would be served by reducing the waiting period;

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is not currently under indictment for any criminal offense;
conviction history:

has not ever been convicted of an offense above the grade
of a Class B misdemeanor, or a Class B misdemeanor
within the last ten years; but
the commission may approve the application of a person
who was convicted for a Class B misdemeanor at least five
(5) years prior to application if an agency administrator
sufficiently demonstrates in writing with supporting
documentation that mitigating circumstances exist with the
case and with the individual applying for licensure, and that
the public interest would be served by reducing the waiting
period.

U.S. citizenship added.

- 6/18/2003 SB 1567 of the 78th Legislative Session moved the Texas Peace Officers' Memorial from 1701 Occupations Code to 3105 Government Code.
- 9/1/2003 SB 117 allows certain retired peace officers to carry weapons.
SB 473 adds Identity Theft training for peace officers.
- 1/1/2004 Intermediate and Advance Reserve Courses no longer taught.
- 6/1/2004 Rule amended to issue county jailer licenses to contract jailers.
- 9/1/2004 Crisis Intervention Training (CIT) and Standardized Field Sobriety Testing (SFST) added to BPOC, increases to 618 hours.
BCCC increased to 96 hours.
- 6/18/2005 HB 1588 of the 79th Legislative Session established initial and continuing education required for constables.
HB 1438 requires the Commission to credit a peace officer with meeting the continuing education requirements if during the relevant 24-month period the peace officer serves on active duty as a member of the U.S. military for at least 12 months.
- 9/1/2005 SB 1473 requires training programs for law enforcement officers regarding persons with mental impairments (CIT).
HB 2677 required the terminating agency to identify the type of separation.
- 12/2/2005 Tim Braaten appointed executive director
- 1/1/2006 Fee increased to \$250 for Certification of Reactivation of an Expired License and Reinstatement of Suspended or Expired License.
- 9/1/2006 4 Field Service Agent (FSA) positions authorized.
- 6/15/2007 HB 486 of the 80th Legislative Session allows the Commission to establish a uniform continuing education training period for chiefs of

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police.

9/1/2007 3 additional FSAs authorized.

HB 2445 requires law enforcement agencies to conduct background investigations in a manner prescribed by the Commission;
consent form is also prescribed by the Commission;
requires the F5 separation form to be reported not later than seven business days;
explains the types of separation;
requires the Commission to suspend the license of an officer upon notification that the officer has been dishonorably discharged for a second time; and
allows for a hearing to change the F5 report.

HB 487 allows the Commission to establish a uniform continuing education training period for constables.

HB 1955 waives the reinstatement fee for retired officers.

HB 3167 clarifies civil process training waivers for deputy constables.

HB 488 allows revocation of a license for officers elected under the Texas Constitution.

5/27/2009 HB 1492 of the 81st Legislative Session allows Achievement Awards to be presented for 20 incidents and accomplishments per year.

6/19/2009 HB 2991 provides exemption of certain honorably retired special rangers and special Texas Rangers from certain required law enforcement education and training programs regarding persons with mental impairments.

9/1/2009 SB 1303 requires law enforcement agencies that employ one or more peace officers to designate a firearms proficiency officer and require each peace officer to demonstrate weapons proficiency to the firearms proficiency officer at least annually.

HB 2799 adds reporting responsibilities to a person who qualifies for a peace officer license but has not yet been appointed as a peace officer.

SB 1237 requires MOU with Texas Juvenile Probation Commission - allows certain juvenile probation officers to carry firearms.

HB 2580 establishes a peace officer employment opportunity Internet website by Workforce Commission in conjunction with the Commission.

HB 2068 requires an identification card for certain retired peace officers under 1701.357.

HB 4009 establishes a victim assistance program to provide services to domestic victims of trafficking, requires an officer first licensed by the Commission on or after January 1, 2011, to complete within a reasonable time after obtaining the license a one-time basic education and training

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program on the trafficking of persons, adds a requirement for an
intermediate or advanced proficiency certificate issued by the
Commission on or after January 1, 2011, an officer must complete the
basic education and training program on the trafficking of persons

HB 2093 includes county jailer as a license qualifying for Mental Health
Proficiency Certificate.

HB 846 limits information required for the license or certificate renewal
process for emergency medical services personnel and certain law
enforcement officers.

HB 3389 continues the Commission until September 1, 2021 (Sunset
Act),

Amends several sections about Commissioners: the requirements
to be a Commissioner (1701.053), grounds for removal of
commissioners (1701.056(a)), and training required to be a
commissioner (1701.059).

Amends 1701.153(b) making electronic reporting of forms
available to agencies required to report

Adds reporting responsibilities to 1701.157 for agencies that apply
for and receive LEOS continuing education dollars.

Adds 1701.1521 which requires the Commission to implement a
policy of using the appropriate technological solutions to improve
the commission's ability to perform its function.

Adds 1701.1522 requiring the Commission to develop an
alternative dispute resolution policy.

Adds 1701.1523 electronic submission of forms, data, and
documents to be developed and electronic submission.

Adds 1701.1524 requiring the Commission to establish rules that
comply with Chapter 53 by specifically stating which offenses
constitute disqualification for county jailers.

Adds 1701.162 requiring the Commission to develop and establish
a framework for auditing agencies and audit all agencies at least
once every five (5) years.

Adds 1701.163 to require law enforcement agencies created after
September 1, 2009 to provide specific information and policies
before being granted a reporting number.

Adds 1701.164 to require the development of a standard format
for the incident-based data submitted by all agencies relating to
racial profiling. The Commission, in collaboration with the
Department of Public Safety, the Bill Blackwood Law Enforcement
Management Institute of Texas, the W. W. Caruth, Jr. Police
Institute of Dallas, and the Texas Police Chiefs Association.

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Amends 1701.202 requires the Commission to establish rules for a comprehensive procedure for each phase of the jurisdictional complaint enforcement process.

Amends 1701.203 requires the Commission to maintain a system of recording jurisdictional complaints and periodically notify the parties.

Adds 1701.2035 to require the Commission to record and track non-jurisdictional complaints. The Commission shall analyze the complaint and violation data to identify trends and areas that may require additional regulation or enforcement.

Amends 1701.253 requires the minimum training requirements to include the laws of this state and the United States as pertaining to peace officers.

Amends 1701.254, the Commission shall establish a system for placing a training provider on at-risk probationary status.

Amends 1701.255(c) to remove the 12 hours of college requirement for a GED.

Amends 1701.351 to require peace officers to complete a legal update course as part of the continuing education requirements beginning with the 2009-2011 training unit.

Amends 1701.352 to require officers holding only a basic proficiency certificate, to complete cultural diversity, crisis intervention training, and special investigative topics as part of the continuing education requirements for the 2009-2013 training cycle.

This section also requires that the Commission review with Bill Blackwood best practices for interacting with persons with mental impairments at least every 24 months.

Amends 1701.402 to require completion of the courses on special investigative topics and cultural diversity for an intermediate certificate.

Amends 1701.355(a) requires law enforcement agencies that employ one or more peace officers to designate a firearms proficiency officer and require each peace officer to demonstrate weapons proficiency to the firearms proficiency officer at least annually. (SB 1303)

Amends 1701.451(b) to require the Commission, by rule, is to establish a system for verifying preemployment requests (F-5R) electronically.

Adds 1701.4525 to state that the Commission is not a party to the F-5 dispute resolution process.

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Amends 1701.453 to include all forms of reporting.

Amends 1701.501(a) to include authority for the Commission to take disciplinary action against persons who violate the reporting requirements provided in Article 2.132 and 2.134 of the Code of Criminal Procedures.

Adds 1701.507 to include financial administrative penalties to the disciplinary process.

Adds 1701.554 for choices in venue.

Amends Article 2.132 of the Code of Criminal Procedures requiring law enforcement agencies in Texas to submit their annual report on racial profiling to TCLEOSE as well as their governing body. This section authorizes disciplinary action if the chief administrator intentionally fails to submit the required report.

Amends Article 2.133 of the Code of Criminal Procedures, reference what is included in their racial profiling annual report.

Amends Article 2.134 of the Code of Criminal Procedure, for the specific component of the racial profiling incident-base annual report. Section (g) provides authority for TCLEOSE to take disciplinary action if the chief administrator intentionally fails to submit the required report.

Amends Article 2.135 of the Code of Criminal Procedures, and explains the partial exemption if a department has video and audio capabilities. This partial exemption still requires the reporting required in Article 2.132.

Adds Section 2.1385 to the Code of Criminal Procedures and adds a civil penalty that may be imposed by the Attorney General. This penalty is in addition to disciplinary action against the chief administrator for intentionally failing to submit.

Adds Article 102.022 to the Code of Criminal Procedures and creates the fund necessary to facilitate the repository for data related to civil justice.

Clarifies the civil justice fee of 10¢ on each ticket in Texas that will fund the repository.

Amends 102.061 and 102.081 for county court fees, 102.101 for justice court fees, and 102.121 for municipal court fees.

Repeals Sections 1701.051(d), 1701.156(c), 1701.315, and 1701.406.

9/1/2011 Kim Vickers appointed executive director

HB 1402 exempts persons licensed under 1701 from Occupations Code Chapter 53.

Legislation and procedural changes affecting
Texas Commission on Law Enforcement Officer Standards and Education
HB 3823 adds telecommunicators to the definitions in 1701.001.

Requires all agencies to report telecommunicators to the Commission.

Allows agencies appointing telecommunicators to set standards above the minimum standards set by the Commission.

Requires the Commission to set minimum standards for telecommunicators.

Requires agencies employing telecommunicators to submit reports to the Commission.

Requires the Commission to set reporting standards for employment and termination of telecommunicators.

Includes training of telecommunicators in the inspection and risk assessment process.

Disqualifies persons convicted of a felony from being appointed or employed as a telecommunicator.

Requires agencies that employ telecommunicators to provide them with 24 hours of crisis communications on or before the first anniversary of the telecommunicator's first day of employment.

Adds training on federal and state statutes that relate to employment issues to the basic certificate requirements for telecommunicators.

Establishes age, education, and training requirements for telecommunicators.

Adds an offense for employing or retaining an unqualified telecommunicator.

SB 244 allows peace officer who is second in command to a police chief to attend a program from Bill Blackwood to be exempt from continuing education requirements under 1701.351 and 1701.352.

SB 542 clarifies the standards for the issuance of a license.
Requires a blood or other medical test to determine drug dependency or illegal drug use.

Clarifies the continuing education requirements for all licensees.

Identifies the training requirements for a chief of police.

SB 545 requires the agency to submit the separation form after the officer has exhausted all administrative appeals.
Requires officers to use Commission forms for petition to change separation status.

Legislation and procedural changes affecting
Texas Commission on Law Enforcement Officer Standards and Education
Directs the Commission to refer petitions to SOAH.

Allows for an administrative penalty to agencies that do not
comply with changes directed by SOAH.

Makes all information related to separation confidential.

Allows all information related to separation subject to subpoena.

SB 1303 re-numbers 1701.258 Firearms Training Program for Juvenile
Probation Officers to 1701.259.

Also re-letters 1701.402(h) intermediate requirements to (j)