

Texas Commission on Law Enforcement

Bill Number: Senate Bill 1445

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Continue

- Continue the Texas Commission on Law Enforcement (TCOLE) for 8 years.

Law Enforcement Agencies

- Amend statute to require TCOLE, with input from an advisory committee, to set and enforce minimum standards for law enforcement agencies in rule.
- Require law enforcement agencies to conduct a review of a TCOLE designated national law enforcement database prior to hiring and before a license is granted.
- Require TCOLE to establish model policies and agencies to adopt substantively similar policies for misconduct investigations, hiring procedures, and personnel files.

F-5 Form

- Remove the separation categories of honorable, general, and dishonorable from the F-5 form.

Licensing

- Require TCOLE to establish a database containing officers' license status, actions by the commission, and personnel files.
- Requires TCOLE establish a public database containing the personal service reports of each licensed officer, and adopt rules excluding information on officers involved in active sensitive operations. User are required to register and TCOLE is required to track activity.
- Explicitly authorize TCOLE to temporarily suspend a license in cases of imminent threat to public health, safety, or welfare, and require a timeline for due process hearings.
- Require TCOLE to establish a model policy and agencies to adopt a substantively model policy for fit-for-duty exams, including requirements to report failed fit-for-duty exams or refusals to be examined, and authorize TCOLE to suspend licensees under limited circumstances.
- Requires TCOLE designate one or more national law enforcement databases that a law enforcement agency must access to complete the preemployment background check.
- Require TCOLE to request records and personnel files from the licensing entity in any other state where an applicant has been employed in a similar licensed role. Clarify a prospective licensee will not be denied a license if their home state licensing entity does not provide the requested record.
- Disqualify other state licensees from being licensed in Texas if they are currently suspended or revoked for reasons that would be grounds for suspension or revocation in Texas.

- Require TCOLE designate a national decertification database and submit TCOLE licensee revocation information to that database.
- Clearly define TCOLE's authority to issue administrative subpoenas.
- Clearly authorize TCOLE to maintain confidentiality of complainants when possible.
- Remove a subjective qualification for licensure from statute.
- Direct TCOLE to work with the Department of Public Safety to subscribe to rap backs on fingerprint-based criminal background checks for all licensure applicants and licensees. (Management action — nonstatutory)

Peace Officer Database

- Require TCOLE to create a public-facing, searchable database, with appropriate protections, that identifies information about a peace officer's license status.

Continuing Education

- Remove the statutory deadlines for all TCOLE licensees' continuing education requirements and require TCOLE, by rule, to establish deadlines aligned with the agency's established training cycle.

Governance

- Update the standard across-the-board requirement related to commission member training.
- Update the agency's statute to reflect the requirements of the person-first respectful language initiative.
- Authorize the commission to establish advisory committees in rule.

Continuity of Care Query System Report

- Direct TCOLE to report on what the requirements would be for peace officers and 911 dispatchers to access the Continuity of Care Query system to the Sunset Commission and the appropriate legislative committees. (Management action — nonstatutory)