

Chapter 346

H.B. No. 1526

AN ACT

1
2 relating to the provision of certain state benefits to certain
3 peace officers and certain active and retired employees of
4 community supervision and corrections departments.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

6 SECTION 1. Section 615.003, Government Code, is amended to
7 read as follows:

8 Sec. 615.003. APPLICABILITY. This chapter applies only to
9 eligible survivors of the following individuals:

10 (1) an individual:

11 (A) elected, appointed, or employed as a peace
12 officer by the state or a political subdivision of the state under
13 Article 2.12, Code of Criminal Procedure, or other law; or

14 (B) employed as a peace officer by a private
15 institution of higher education, including a private junior
16 college, that is located in this state under Section 51.212,
17 Education Code;

18 (2) a paid probation officer appointed by the director
19 of a community supervision and corrections department who has the
20 duties set out in Section 76.002 and the qualifications set out in
21 Section 76.005, or who was appointed in accordance with prior law;

22 (3) a parole officer employed by the Texas Department
23 of Criminal Justice who has the duties set out in Section 508.001
24 and the qualifications set out in Section 508.113 or in prior law;

- 1 (4) a paid jailer;
- 2 (5) a member of an organized police reserve or
3 auxiliary unit who regularly assists peace officers in enforcing
4 criminal laws;
- 5 (6) a member of the class of employees of the
6 correctional institutions division formally designated as
7 custodial personnel under Section 615.006 by the Texas Board of
8 Criminal Justice or its predecessor in function;
- 9 (7) a jailer or guard of a county jail who is appointed
10 by the sheriff and who:
- 11 (A) performs a security, custodial, or
12 supervisory function over the admittance, confinement, or
13 discharge of prisoners; and
- 14 (B) is certified by the Texas Commission on Law
15 Enforcement;
- 16 (8) a juvenile correctional employee of the Texas
17 Juvenile Justice Department;
- 18 (9) an employee of the Department of Aging and
19 Disability Services or Department of State Health Services who:
- 20 (A) works at the department's maximum security
21 unit; or
- 22 (B) performs on-site services for the Texas
23 Department of Criminal Justice;
- 24 (10) an individual who is employed by the state or a
25 political or legal subdivision and is subject to certification by
26 the Texas Commission on Fire Protection;
- 27 (11) an individual employed by the state or a

1 political or legal subdivision whose principal duties are aircraft
2 crash and rescue fire fighting;

3 (12) a member of an organized volunteer fire-fighting
4 unit that:

5 (A) renders fire-fighting services without
6 remuneration; and

7 (B) conducts a minimum of two drills each month,
8 each two hours long;

9 (13) an individual who:

10 (A) performs emergency medical services or
11 operates an ambulance;

12 (B) is employed by a political subdivision of the
13 state or is an emergency medical services volunteer as defined by
14 Section 773.003, Health and Safety Code; and

15 (C) is qualified as an emergency care attendant
16 or at a higher level of training under Section 773.046, 773.047,
17 773.048, 773.049, or 773.0495, Health and Safety Code;

18 (14) an individual who is employed or formally
19 designated as a chaplain for:

20 (A) an organized volunteer fire-fighting unit or
21 other fire department of this state or of a political subdivision of
22 this state;

23 (B) a law enforcement agency of this state or of a
24 political subdivision of this state; or

25 (C) the Texas Department of Criminal Justice;

26 (15) an individual who is employed by the state or a
27 political subdivision of the state and who is considered by the

1 governmental employer to be a trainee for a position otherwise
2 described by this section;

3 (16) an individual who is employed by the Department
4 of Public Safety and, as certified by the director, is:

5 (A) deployed into the field in direct support of
6 a law enforcement operation, including patrol, investigative,
7 search and rescue, crime scene, on-site communications, or special
8 operations; and

9 (B) given a special assignment in direct support
10 of operations relating to organized crime, criminal interdiction,
11 border security, counterterrorism, intelligence, traffic
12 enforcement, emergency management, regulatory services, or special
13 investigations; or

14 (17) an individual who is employed by the Parks and
15 Wildlife Department and, as certified by the executive director of
16 the Parks and Wildlife Department, is:

17 (A) deployed into the field in direct support of
18 a law enforcement operation, including patrol, investigative,
19 search and rescue, crime scene, on-site communications, or special
20 operations; and

21 (B) given a special assignment in direct support
22 of operations relating to organized crime, criminal interdiction,
23 border security, counterterrorism, intelligence, traffic
24 enforcement, emergency management, regulatory services, or special
25 investigations.

26 SECTION 2. Sections 1551.114(e), (f), and (g), Insurance
27 Code, are amended to read as follows:

1 (e) The state [~~An active employee described by Subsection~~
2 ~~(d) is not eligible to receive a state contribution under~~
3 ~~Subchapter G for premiums. The community justice assistance~~
4 ~~division of the Texas Department of Criminal Justice]~~ is
5 responsible for payment of the contributions for each of a
6 department's participating active employees and the employees'
7 dependents [~~that the state would make~~] under Subchapter G [~~if the~~
8 ~~employees were state employees. Each covered active employee shall~~
9 ~~pay that portion of the cost of group coverages selected by the~~
10 ~~employee that exceeds the amount of division contributions)].~~

11 (f) A retired employee is eligible to participate in the
12 group benefits program on application to the board of trustees. On
13 application, a retired employee is automatically covered by the
14 basic coverage for annuitants unless the retired employee
15 specifically waives coverage or unless the retired employee is
16 expelled from the program. The state [~~A retired employee is not~~
17 ~~eligible to receive a state contribution under Subchapter G for~~
18 ~~premiums. The community justice assistance division of the Texas~~
19 ~~Department of Criminal Justice]~~ is responsible for payment of the
20 contributions for each of a department's retired employees and the
21 retired employees' participating dependents [~~that the state would~~
22 ~~make~~] under Subchapter G [~~if the retired employees were retired~~
23 ~~state employees. Each participating retired employee shall pay that~~
24 ~~portion of the cost of group coverage selected by the retired~~
25 ~~employee that exceeds the amount of division contributions)]. The
26 retired employee shall pay contributions required from the retired
27 employee in the manner prescribed by the board of trustees. Each~~

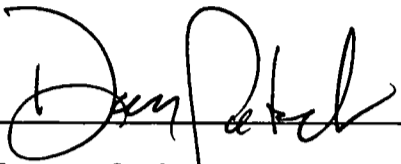
1 community supervision and corrections department shall notify each
2 of its retired employees of the eligibility for participation and
3 the costs associated with participation.

4 (g) All contributions received under this section from the
5 state [~~community justice assistance division of the Texas~~
6 ~~Department of Criminal Justice~~], active employees of community
7 supervision and corrections departments, and retired employees of
8 community supervision and corrections departments for basic,
9 optional, and voluntary coverages under the group benefits program
10 shall be paid into the employees life, accident, and health
11 insurance and benefits fund and shall be used by the board of
12 trustees to provide those coverages as provided by this chapter.

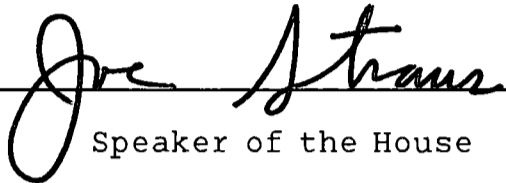
13 SECTION 3. Section 509.011(a-1), Government Code, and
14 Section 1551.322, Insurance Code, are repealed.

15 SECTION 4. The change in law made by this Act relating to
16 the death of peace officers employed by certain private
17 institutions of higher education located in this state applies only
18 in relation to a death that occurs on or after the effective date of
19 this Act. Matters regarding eligibility, payment, and benefits
20 under Chapter 615, Government Code, in relation to a death that
21 occurs before the effective date of this Act are governed by the law
22 in effect when the death occurs, and the former law is continued in
23 effect for that purpose.

24 SECTION 5. This Act takes effect September 1, 2017.

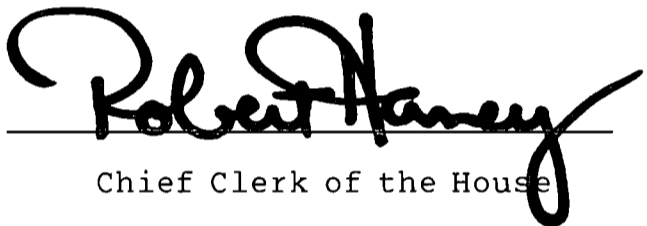


President of the Senate



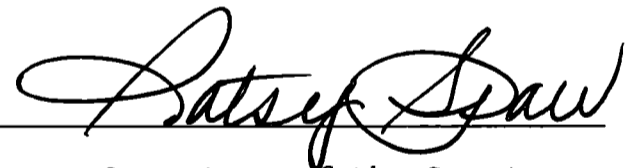
Speaker of the House

I certify that H.B. No. 1526 was passed by the House on April 18, 2017, by the following vote: Yeas 139, Nays 0, 1 present, not voting; and that the House concurred in Senate amendments to H.B. No. 1526 on May 19, 2017, by the following vote: Yeas 141, Nays 1, 1 present, not voting.



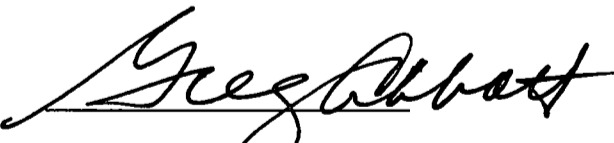
Chief Clerk of the House

I certify that H.B. No. 1526 was passed by the Senate, with amendments, on May 16, 2017, by the following vote: Yeas 30, Nays 0.

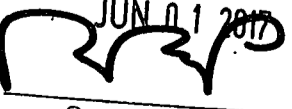


Secretary of the Senate

APPROVED: 5-31-2017
Date



Governor

FILED IN THE OFFICE OF THE
SECRETARY OF STATE
11:00 AM O'CLOCK
JUN 01 2017


Secretary of State

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 85TH LEGISLATIVE REGULAR SESSION

May 17, 2017

TO: Honorable Joe Straus, Speaker of the House, House of Representatives

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB1526 by King, Phil (Relating to the provision of state death benefits to peace officers employed by certain private institutions of higher education located in this state.), As Passed 2nd House

No significant fiscal implication to the State is anticipated.

The bill would amend Government Code to provide financial assistance to the survivors of peace officers employed by private institutions of private education or private junior colleges who are killed in the line of duty. Under provisions of the bill, funding of \$500,000 per claim would be provided, as well as monthly payments to surviving children, however the occurrence and timing of these events are too difficult to predict. Based upon historical experience, the Employees Retirement System estimated two additional deaths would be eligible for financial assistance in the five years following implementation of the bill.

The bill would also amend the Insurance Code to make the state responsible for paying insurance contributions for employees of Community Supervision and Corrections Departments (CSCDs). The Employees Retirement System and the Texas Department of Criminal Justice (TDCJ) indicate that, assuming TDCJ would maintain administrative responsibilities such as billing and reconciling payments with CSCDs, there would not be a significant cost to the state. The bill would also repeal Insurance Code Section 1551.322 and Government Code Section 509.011(a-1).

The bill would take effect September 1, 2017 and only apply to deaths that occur on or after that date.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 327 Employees Retirement System, 696 Department of Criminal Justice, 304 Comptroller of Public Accounts, 407 Commission on Law Enforcement

LBB Staff: UP, KFa, AG, FR, NV, JGA

**LEGISLATIVE BUDGET BOARD
Austin, Texas**

FISCAL NOTE, 85TH LEGISLATIVE REGULAR SESSION

May 6, 2017

TO: Honorable Joan Huffman, Chair, Senate Committee on State Affairs

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB1526 by King, Phil (Relating to the provision of state death benefits to peace officers employed by certain private institutions of higher education located in this state.), **As Engrossed**

No significant fiscal implication to the State is anticipated.

The bill would amend Government Code to provide financial assistance to the survivors of peace officers employed by private institutions of private education or private junior colleges who are killed in the line of duty.

Under provisions of the bill, funding of \$500,000 per claim would be provided, as well as monthly payments to surviving children, however the occurrence and timing of these events are too difficult to predict. Based upon historical experience, the Employees Retirement System estimated two additional deaths would be eligible for financial assistance in the five years following implementation of the bill.

The bill would take effect September 1, 2017 and only apply to deaths that occur on or after that date.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 304 Comptroller of Public Accounts, 327 Employees Retirement System, 407 Commission on Law Enforcement

LBB Staff: UP, AG, FR, NV, KFa, JGA

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 85TH LEGISLATIVE REGULAR SESSION

March 20, 2017

TO: Honorable Phil King, Chair, House Committee on Homeland Security & Public Safety

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB1526 by King, Phil (Relating to the provision of state death benefits to peace officers employed by certain private institutions of higher education located in this state.), **As Introduced**

No significant fiscal implication to the State is anticipated.

The bill would amend Government Code to provide financial assistance to the survivors of peace officers employed by private institutions of private education or private junior colleges who are killed in the line of duty.

Under provisions of the bill, funding of \$500,000 per claim would be provided, as well as monthly payments to surviving children, however the occurrence and timing of these events are too difficult to predict. Based upon historical experience, the Employees Retirement System estimated two additional deaths would be eligible for financial assistance in the five years following implementation of the bill.

The bill would take effect September 1, 2017 and only apply to deaths that occur on or after that date.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 304 Comptroller of Public Accounts, 327 Employees Retirement System, 407 Commission on Law Enforcement

LBB Staff: UP, FR, NV, KFa, JGA