

CHAPTER 863

H.B. No. 750

AN ACT

relating to the requirements for certain telecommunicators.

*Be it enacted by the Legislature of the State of Texas:*

SECTION 1. Section 6, Chapter 546, Acts of the 59th Legislature, Regular Session, 1965 (Article 4413(29aa), Vernon's Texas Civil Statutes), is amended by adding Subsection (r) to read as follows:

*(r) For the purposes of this Act, "telecommunicator" means a person acknowledged by the Commission and employed by or serving a law enforcement agency, who receives, processes, and transmits public safety information and criminal justice data for the agency via a base radio station on a public safety frequency regulated by the Federal Communications Commission or by teletype or other communications system.*

SECTION 2. Chapter 546, Acts of the 59th Legislature, Regular Session, 1965 (Article 4413(29aa), Vernon's Texas Civil Statutes), is amended by adding Section 7C to read as follows:

*Sec. 7C. (a) The state, or any political subdivision of the state, may not appoint or employ a person to act as a telecommunicator unless that person has met the minimum requirements of at least forty (40) hours of training for a telecommunicator as determined by the Commission.*

*(b) The Commission shall accredit telecommunicator training programs that fulfill the minimum requirements for a telecommunicator. The Commission shall adopt rules providing for the accreditation of telecommunicator training programs developed and taught by the Department of Public Safety, an institution of higher education, including a junior college, community college, or technical school, or any other entity approved by the Commission.*

*(c) A person who has completed an accredited training program under this section may, by letter to the Commission, request a written acknowledgment from the Commission that the person has met the minimum requirements for a telecommunicator as determined by the Commission. The request must be accompanied, in accordance with rules of the Commission, by evidence of satisfactory completion of an accredited telecommunicator training program.*

*(d) After the Commission receives a request under Subsection (c) of this section and determines that the person meets the minimum requirements for a telecommunicator, the Commission shall issue the written acknowledgment to the person making the request.*

SECTION 3. Chapter 546, Acts of the 59th Legislature, Regular Session, 1965 (Article 4413(29aa), Vernon's Texas Civil Statutes), is amended by adding Section 7D to read as follows:

*Sec. 7D. (a) In this section:*

*(1) "Communication" means any type of system in which electric or electromagnetic signals are used to transmit information between or among points, including a system transmitting communications by means of radio, light, or waves in other portions of the electromagnetic spectrum, by means of wire or cable, or by means of any other medium.*

(2) "Emergency" means the occurrence or imminent threat of damage, injury, or loss of life or property resulting from an extraordinary natural or man-made cause which necessitates the temporary use by a law enforcement agency of a telecommunicator or telecommunicators who have not been acknowledged by the Commission.

(b) The provisions of this section and the provisions of Section 7C of this Act relating to the requirements for telecommunicators do not apply to a person performing the duties of a telecommunicator if the person is employed by a law enforcement agency that employs 20 or fewer employees or that does not perform law enforcement services on a 24-hour basis.

(c) A telecommunicator serving under permanent appointment on and before September 1, 1987, is not required to meet the requirements of Section 7C of this Act as a condition of continued employment. Those telecommunicators have satisfied the requirements of that section by their experience.

(d) Notwithstanding Section 7C of this Act, a person may be appointed or serve as a telecommunicator on a temporary or probationary basis or in the event of an emergency. A telecommunicator who has received a temporary or probationary appointment after September 1, 1987, and who fails to satisfactorily complete an accredited telecommunicator training program within a one-year period after the date of his original appointment, forfeits his position and shall be removed from the position. The temporary or probationary employment may not be extended beyond one year by renewal of appointment or otherwise, except that after the lapse of one year after the date of the person's forfeiture and removal, the employing agency may petition the Commission for reinstatement of the person to temporary or probationary employment.

SECTION 4. This Act takes effect September 1, 1987.

SECTION 5. The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house be suspended, and this rule is hereby suspended.

Passed by the House on May 11, 1987, by a non-record vote. Passed by the Senate on May 29, 1987, by the following vote: Yeas 30, Nays 0.

Approved June 19, 1987.

Effective Sept. 1, 1987.