

Proposed Final
Rule Summaries
March 2015

Proposed Final Adoptions

Summary of Final Adoption 1: Rule 211.3

The proposed amendment removes the commission website address.

§ 211.3. Public Information.

- (a) All commission rules are published in the Texas Register as they are proposed and adopted.
- (b) The commission will index, maintain, and make available for public inspection at the Austin headquarters a copy of:
 - (1) the current rules;
 - (2) all interpretive memoranda, policies, and procedures; and
 - (3) all final orders, decisions, and opinions of the commission.
- (c) Members of the public may obtain:
 - (1) copies of the rules and other documents published by the commission at the cost recovery rate established in the fee schedule for printed documents which is available upon request from the commission;
 - (2) the rules and many other documents published by the commission are also available free of charge on the commission website:
~~www.teleose.state.tx.us;~~
 - (3) unpublished materials available under the Public Information Act at the rate established by the Texas Facilities Commission for such materials; and
 - (4) the jurisdictional complaint process, including:
 - (A) complaint intake;
 - (B) investigation;
 - (C) adjudication and relevant hearings;
 - (D) appeals;
 - (E) the imposition of sanctions; and
 - (F) public disclosure.
- (d) The effective date of this section is May 1, 2015~~January 14, 2010~~.

Summary of Final Adoption 2: Rule 221.43

The proposed new rule adds a special weapons and tactics proficiency certificate.

Final Rule

§ 221.43. Special Weapons and Tactics Proficiency.

- (a) To qualify for a basic special weapons and tactics proficiency certificate, an applicant must meet all proficiency requirements, including successful completion of courses containing industry and commission recognized skill sets.
- (b) To qualify for an advanced special weapons and tactics proficiency certificate, an applicant must meet all proficiency requirements, including:
 - (1) achieving basic special weapons and tactics proficiency certification;
 - (2) at least two years experience on a special weapons and tactics unit; and
 - (3) successful completion of courses containing industry and commission recognized advanced skill sets.
- (c) To qualify for a master special weapons and tactics proficiency certificate, an applicant must meet all proficiency requirements, including:
 - (1) achieving advanced special weapons and tactics proficiency certification;
 - (2) at least four years experience on a special weapons and tactics unit; and
 - (3) successful completion of courses containing industry and commission recognized master skill sets.
- (d) A chief administrator may submit information regarding comparable training and experience to the commission to be recognized as sufficient for issuance of a basic, advanced or master certificate.
- (e) A certificate is valid for two years. Every two year period, the holder must:
 - (1) successfully complete commission-identified special weapons and tactics training; or
 - (2) submit verification of assignment as a special weapons and tactics operator from the appointing chief administrator.
- (f) If the certificate becomes invalid, a holder may obtain a new certificate under the application standards in this section.
- (g) The effective date of this section is May 1, 2015.

Proposed Rule with Markups Based on Public Comment¹

§ 221.43. Special Weapons and Tactics Proficiency.

- (a) To qualify for a **basic** special weapons and tactics proficiency certificate, an applicant must meet all proficiency requirements, including:
- (1) successful completion of **courses containing industry and commission recognized skill sets.** ~~an approved course; and~~
 - (2) certification from the appointing chief administrator as a special weapons and tactics unit member
- (b) To qualify for an **advanced** intermediate special weapons and tactics proficiency certificate, an applicant must meet all proficiency requirements, including:
- (1) achieving basic special weapons and tactics **proficiency** certification;
 - (2) at least two years experience on a special weapons and tactics unit; and
 - (3) successful completion of **courses containing industry and commission recognized advanced skill sets.** ~~240~~ hours of training after the basic certificate.
- (c) To qualify for an **master** advanced special weapons and tactics proficiency certificate, an applicant must meet all proficiency requirements, including:
- (1) achieving **advanced** intermediate special weapons and tactics **proficiency certification** ~~certificate;~~
 - (2) at least four years experience **in a special weapons and tactics unit;** and
 - (3) successful completion of **courses containing industry and commission recognized master skill sets.** ~~successful completion of courses required by the commission.~~
- (d) a chief administrator may submit information regarding comparable training and experience to the commission to be recognized as sufficient for issuance of a **basic, advanced or master certificate.**
- (e) A certificate is valid for two years. Every two year period, the holder must:
- (1) successfully complete **commission-identified special weapons and tactics training;** an update course once every two years **or**
 - (2) submit verification of assignment as a **special weapons and tactics operator from the appointing chief administrator.**
- (f) If the certificate becomes invalid, a holder may obtain a new certificate under the application standards in this section.
- (g) The effective date of this section is May 1, 2015.

¹ ~~Strikethroughs~~ and underlines indicate changes made in response to public comment.

Summary of Final Adoption 3: Rule 221.45

The proposed new rule adds a school resource officer proficiency certificate.

Final Rule

§ 221.45 School Resource Officer Proficiency.

- (a) To qualify for a school resource officer proficiency certificate, an applicant must meet all proficiency requirements, including successful completion of an approved school resource officer course.
- (b) A certificate is valid for two years. Every two year period, the holder must:
 - (1) successfully complete commission-identified school resource officer training; or
 - (2) submit verification of assignment as a school resource officer from the appointing chief administrator.
- (c) A chief administrator may submit information regarding comparable training and experience to the commission to be recognized as sufficient for issuance of a proficiency certificate under this section.
- (d) If the certificate becomes invalid, a holder may obtain a new certificate under the application standards in this section.
- (e) The effective date of this section is May 1, 2015.

Proposed Rule with Markups Based on Public Comment

§ 221.45 School Resource Officer Proficiency.

- (a) To qualify for a school resource officer proficiency certificate, an applicant must meet all proficiency requirements, including:
 - (1) successful completion of an approved school resource officer course; and
 - (2) ~~certification from the appointing chief administrator as a school resource officer~~
- (b) A certificate is valid for two years.
- (cb) A certificate is valid for two years. Every two year period, the holder must:
 - (1) successfully complete commission-identified school resource officer training; or
 - (2) submit verification of assignment as a school resource officer from the appointing chief administrator. To keep the certificate valid, the holder must successfully complete an update course once every two years.
- (c) a chief administrator may submit information regarding comparable training and experience to the commission to be recognized as sufficient for issuance of a proficiency certificate under this section.

- (d) If the certificate becomes invalid, a holder may obtain a new certificate under the application standards in this section.
- (e) The effective date of this section is May 1, 2015.

Summary of Final Adoption 4: Rule 221.47

The proposed new rule adds a canine handler proficiency certificate.

Final Rule

§ 221.47 Canine Handler Proficiency.

- (a) To qualify for a canine handler certificate, an applicant must meet all proficiency requirements, including successful completion of an approved canine handler course.
- (b) A certificate is valid for two years. Every two year period, the holder must:
 - (1) successfully complete commission-identified canine handler training; or
 - (2) submit verification of assignment as a canine handler from the appointing chief administrator.
- (c) A chief administrator may submit information regarding comparable training and experience to the commission to be recognized as sufficient for issuance of a proficiency certificate under this section.
- (d) If the certificate becomes invalid, a holder may obtain a new certificate under the application standards in this section.
- (e) The effective date of this section is May 1, 2015.

Proposed Rule with Markups Based on Public Comment

§ 221.47 Canine **Handler Officer** Proficiency.

- (a) To qualify for a canine **handler** officer certificate, an applicant must meet all proficiency requirements, including:
 - (1) successful completion of an approved canine **handler** officer course; and
 - (2) ~~certification from the appointing chief administrator as a canine officer~~
- (b) A certificate is valid for two years.
- (b) **A certificate is valid for two years. Every two year period, the holder must:**
 - (1) **successfully complete commission-identified canine handler training; or**
 - (2) **submit verification of assignment as a canine handler from the appointing chief administrator.** To keep the certificate valid, the holder must successfully complete an update course once every two ~~years~~
- (c) **a chief administrator may submit information regarding comparable training and experience to the commission to be recognized as sufficient for issuance of a proficiency certificate under this section.**

- (d) If the certificate becomes invalid, a holder may obtain a new certificate under the application standards in this section.
- (e) The effective date of this section is May 1, 2015.