

By: King of Parker, White, Morrison,
Bell of Montgomery, et al.

H.B. No. 1444

A BILL TO BE ENTITLED

AN ACT

relating to qualifications of a sheriff or a candidate for sheriff.

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

SECTION 1. Section 85.0011, Local Government Code, is amended to read as follows:

Sec. 85.0011. QUALIFICATIONS FOR SHERIFF OR CANDIDATE FOR SHERIFF. (a) A person is not eligible to serve as sheriff unless the person:

(1) has a high school diploma or a high school equivalency certificate; and

(2) holds an active permanent peace officer license [~~is eligible to be licensed~~] under Chapter 1701 [~~Sections 1701.309 and 1701.312~~], Occupations Code.

(b) A person is not eligible to be a candidate for the office of sheriff unless the person holds an active permanent peace officer license under Chapter 1701, Occupations Code.

SECTION 2. Section 1701.302(a), Occupations Code, is amended to read as follows:

(a) Except as provided by Section 85.0011, Local Government Code, an [~~An~~] officer [~~, including a sheriff,~~] elected under the Texas Constitution or a statute or appointed to fill a vacancy in an elective office must obtain a license from the commission not later than the second anniversary of the date the officer takes office.

SECTION 3. Section 85.0025, Local Government Code, is

1 repealed.

2 SECTION 4. The changes in law made by this Act to Sections
3 85.0011 and 85.0025, Local Government Code, do not apply to a
4 sheriff serving a term that began before the effective date of this
5 Act. A sheriff serving a term that began before the effective date
6 of this Act is governed for the remainder of that term by Sections
7 85.0011 and 85.0025, Local Government Code, as those laws existed
8 immediately before the effective date of this Act, and the prior law
9 is continued in effect for that purpose.

10 SECTION 5. This Act takes effect September 1, 2021.