

By: Lopez

H.B. No. 3174

A BILL TO BE ENTITLED

AN ACT

relating to certain peace officer hiring policies regarding applicants with a history of marihuana use.

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

SECTION 1. Chapter 180, Local Government Code, is amended by adding Section 180.008 to read as follows:

Sec. 180.008. PROHIBITION ON CERTAIN LAW ENFORCEMENT AGENCY HIRING POLICIES REGARDING PRIOR MARIHUANA USE. (a) A law enforcement agency of a municipality or county may not adopt or enforce a hiring policy provision that:

(1) automatically disqualifies peace officer position applicants because of prior marijuana use; and

(2) considers marihuana use that occurred more than three years before the date of application.

(b) This section does not prohibit a hiring policy provision that disqualifies applicants for other acts or conditions related to marihuana, including:

(1) the sale or distribution of marihuana by the applicant; or

(2) an applicant's criminal history related to the possession of marihuana.

SECTION 2. This Act takes effect September 1, 2021.