

By: Goldman

H.B. No. 3756

A BILL TO BE ENTITLED

1 AN ACT
2 relating to airport police forces, including the authority to
3 commission peace officers and the rights, privileges, and duties of
4 those officers.

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

6 SECTION 1. Article 2.12, Code of Criminal Procedure, is
7 amended to read as follows:

8 Art. 2.12. WHO ARE PEACE OFFICERS. The following are peace
9 officers:

10 (1) sheriffs, their deputies, and those reserve
11 deputies who hold a permanent peace officer license issued under
12 Chapter 1701, Occupations Code;

13 (2) constables, deputy constables, and those reserve
14 deputy constables who hold a permanent peace officer license issued
15 under Chapter 1701, Occupations Code;

16 (3) marshals or police officers of an incorporated
17 city, town, or village, and those reserve municipal police officers
18 who hold a permanent peace officer license issued under Chapter
19 1701, Occupations Code;

20 (4) rangers, officers, and members of the reserve
21 officer corps commissioned by the Public Safety Commission and the
22 Director of the Department of Public Safety;

23 (5) investigators of the district attorneys', criminal
24 district attorneys', and county attorneys' offices;

1 (6) law enforcement agents of the Texas Alcoholic
2 Beverage Commission;

3 (7) each member of an arson investigating unit
4 commissioned by a city, a county, or the state;

5 (8) officers commissioned under Section 37.081,
6 Education Code, or Subchapter E, Chapter 51, Education Code;

7 (9) officers commissioned by the General Services
8 Commission;

9 (10) law enforcement officers commissioned by the
10 Parks and Wildlife Commission;

11 (11) ~~[airport police]~~ officers commissioned under
12 Chapter 23, Transportation Code ~~[by a city with a population of more~~
13 ~~than 1.18 million located primarily in a county with a population of~~
14 ~~2 million or more that operates an airport that serves commercial~~
15 ~~air carriers];~~

16 (12) ~~[airport security personnel commissioned as~~
17 ~~peace officers by the governing body of any political subdivision~~
18 ~~of this state, other than a city described by Subdivision (11), that~~
19 ~~operates an airport that serves commercial air carriers];~~

20 ~~[(13)]~~ municipal park and recreational patrolmen and
21 security officers;

22 (13) ~~[(14)]~~ security officers and investigators
23 commissioned as peace officers by the comptroller;

24 (14) ~~[(15)]~~ officers commissioned by a water control
25 and improvement district under Section 49.216, Water Code;

26 (15) ~~[(16)]~~ officers commissioned by a board of
27 trustees under Chapter 54, Transportation Code;

1 (16) [~~(17)~~] investigators commissioned by the Texas
2 Medical Board;

3 (17) [~~(18)~~] officers commissioned by:

4 (A) the board of managers of the Dallas County
5 Hospital District, the Tarrant County Hospital District, the Bexar
6 County Hospital District, or the El Paso County Hospital District
7 under Section [281.057](#), Health and Safety Code;

8 (B) the board of directors of the Ector County
9 Hospital District under Section [1024.117](#), Special District Local
10 Laws Code;

11 (C) the board of directors of the Midland County
12 Hospital District of Midland County, Texas, under Section [1061.121](#),
13 Special District Local Laws Code; and

14 (D) the board of hospital managers of the Lubbock
15 County Hospital District of Lubbock County, Texas, under Section
16 [1053.113](#), Special District Local Laws Code;

17 (18) [~~(19)~~] county park rangers commissioned under
18 Subchapter [E](#), Chapter [351](#), Local Government Code;

19 (19) [~~(20)~~] investigators employed by the Texas
20 Racing Commission;

21 (20) [~~(21)~~] officers commissioned under Chapter [554](#),
22 Occupations Code;

23 (21) [~~(22)~~] officers commissioned by the governing
24 body of a metropolitan rapid transit authority under Section
25 [451.108](#), Transportation Code, or by a regional transportation
26 authority under Section [452.110](#), Transportation Code;

27 (22) [~~(23)~~] investigators commissioned by the

1 attorney general under Section 402.009, Government Code;

2 (23) [~~(24)~~] security officers and investigators
3 commissioned as peace officers under Chapter 466, Government Code;

4 (24) [~~(25)~~] officers appointed by an appellate court
5 under Subchapter F, Chapter 53, Government Code;

6 (25) [~~(26)~~] officers commissioned by the state fire
7 marshal under Chapter 417, Government Code;

8 (26) [~~(27)~~] an investigator commissioned by the
9 commissioner of insurance under Section 701.104, Insurance Code;

10 (27) [~~(28)~~] apprehension specialists and inspectors
11 general commissioned by the Texas Juvenile Justice Department as
12 officers under Sections 242.102 and 243.052, Human Resources Code;

13 (28) [~~(29)~~] officers appointed by the inspector
14 general of the Texas Department of Criminal Justice under Section
15 493.019, Government Code;

16 (29) [~~(30)~~] investigators commissioned by the Texas
17 Commission on Law Enforcement under Section 1701.160, Occupations
18 Code;

19 (30) [~~(31)~~] commission investigators commissioned by
20 the Texas Private Security Board under Section 1702.061,
21 Occupations Code;

22 (31) [~~(32)~~] the fire marshal and any officers,
23 inspectors, or investigators commissioned by an emergency services
24 district under Chapter 775, Health and Safety Code;

25 (32) [~~(33)~~] officers commissioned by the State Board
26 of Dental Examiners under Section 254.013, Occupations Code,
27 subject to the limitations imposed by that section;

1 (33) [~~(34)~~] investigators commissioned by the Texas
2 Juvenile Justice Department as officers under Section 221.011,
3 Human Resources Code; and

4 (34) [~~(35)~~] the fire marshal and any related officers,
5 inspectors, or investigators commissioned by a county under
6 Subchapter B, Chapter 352, Local Government Code.

7 SECTION 2. The heading to Chapter 23, Transportation Code,
8 is amended to read as follows:

9 CHAPTER 23. AIRPORT POLICE FORCES [~~SECURITY PERSONNEL~~]

10 SECTION 3. Section 23.001, Transportation Code, is amended
11 to read as follows:

12 Sec. 23.001. ESTABLISHMENT OF AIRPORT POLICE [~~SECURITY~~]
13 FORCE; COMMISSIONING OF PEACE OFFICERS. The governing body of a
14 joint board, as defined by Section 22.071, or the governing body of
15 a political subdivision that operates an airport served by an air
16 carrier certificated by the Federal Aviation Administration [~~Civil~~
17 ~~Aeronautics Board~~] or the United States Department of
18 Transportation may:

- 19 (1) establish an airport police [~~security~~] force; and
20 (2) commission and employ a peace officer, subject to
21 Chapter 1701, Occupations Code, if the employee takes and files the
22 oath required of peace officers [~~employ airport security~~
23 ~~personnel~~].

24 SECTION 4. Sections 23.002 and 23.003, Transportation Code,
25 are repealed.

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