

1 AN ACT

2 relating to the designation of certain fire marshals and related
3 officers, inspectors, and investigators as peace officers.

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

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

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

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

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

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

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

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

24 (6) law enforcement agents of the Texas Alcoholic

1 Beverage Commission;

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

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

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

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

10 (11) officers commissioned under Chapter 23,
11 Transportation Code;

12 (12) municipal park and recreational patrolmen and
13 security officers;

14 (13) security officers and investigators commissioned
15 as peace officers by the comptroller;

16 (14) officers commissioned by a water control and
17 improvement district under Section 49.216, Water Code;

18 (15) officers commissioned by a board of trustees
19 under Chapter 54, Transportation Code;

20 (16) investigators commissioned by the Texas Medical
21 Board;

22 (17) officers commissioned by:

23 (A) the board of managers of the Dallas County
24 Hospital District, the Tarrant County Hospital District, the Bexar
25 County Hospital District, or the El Paso County Hospital District
26 under Section 281.057, Health and Safety Code;

27 (B) the board of directors of the Ector County

1 Hospital District under Section 1024.117, Special District Local
2 Laws Code;

3 (C) the board of directors of the Midland County
4 Hospital District of Midland County, Texas, under Section 1061.121,
5 Special District Local Laws Code; and

6 (D) the board of hospital managers of the Lubbock
7 County Hospital District of Lubbock County, Texas, under Section
8 1053.113, Special District Local Laws Code;

9 (18) county park rangers commissioned under
10 Subchapter E, Chapter 351, Local Government Code;

11 (19) investigators employed by the Texas Racing
12 Commission;

13 (20) officers commissioned under Chapter 554,
14 Occupations Code;

15 (21) officers commissioned by the governing body of a
16 metropolitan rapid transit authority under Section 451.108,
17 Transportation Code, or by a regional transportation authority
18 under Section 452.110, Transportation Code;

19 (22) investigators commissioned by the attorney
20 general under Section 402.009, Government Code;

21 (23) security officers and investigators commissioned
22 as peace officers under Chapter 466, Government Code;

23 (24) officers appointed by an appellate court under
24 Subchapter F, Chapter 53, Government Code;

25 (25) officers commissioned by the state fire marshal
26 under Chapter 417, Government Code;

27 (26) an investigator commissioned by the commissioner

1 of insurance under Section 701.104, Insurance Code;

2 (27) apprehension specialists and inspectors general
3 commissioned by the Texas Juvenile Justice Department as officers
4 under Sections 242.102 and 243.052, Human Resources Code;

5 (28) officers appointed by the inspector general of
6 the Texas Department of Criminal Justice under Section 493.019,
7 Government Code;

8 (29) investigators commissioned by the Texas
9 Commission on Law Enforcement under Section 1701.160, Occupations
10 Code;

11 (30) commission investigators commissioned by the
12 Texas Private Security Board under Section 1702.061, Occupations
13 Code;

14 (31) the fire marshal and any officers, inspectors, or
15 investigators commissioned by an emergency services district under
16 Chapter 775, Health and Safety Code;

17 (32) officers commissioned by the State Board of
18 Dental Examiners under Section 254.013, Occupations Code, subject
19 to the limitations imposed by that section;

20 (33) investigators commissioned by the Texas Juvenile
21 Justice Department as officers under Section 221.011, Human
22 Resources Code; ~~and~~

23 (34) the fire marshal and any related officers,
24 inspectors, or investigators commissioned by a county under
25 Subchapter B, Chapter 352, Local Government Code; and

26 (35) fire marshals and any related officers,
27 inspectors, or investigators of a municipality who hold a permanent

1 peace officer license issued under Chapter [1701](#), Occupations Code.

2 SECTION 2. This Act takes effect September 1, 2023.

President of the Senate

Speaker of the House

I certify that H.B. No. 3981 was passed by the House on May 6, 2023, by the following vote: Yeas 131, Nays 4, 1 present, not voting.

Chief Clerk of the House

I certify that H.B. No. 3981 was passed by the Senate on May 24, 2023, by the following vote: Yeas 31, Nays 0.

Secretary of the Senate

APPROVED: _____

Date

Governor