

1-1 By: Alvarado S.B. No. 252  
 1-2 (In the Senate - Filed November 28, 2022; February 15, 2023,  
 1-3 read first time and referred to Committee on State Affairs;  
 1-4 April 25, 2023, reported adversely, with favorable Committee  
 1-5 Substitute by the following vote: Yeas 10, Nays 0; April 25, 2023,  
 1-6 sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8				
1-9	X			
1-10	X			
1-11	X			
1-12			X	
1-13	X			
1-14	X			
1-15	X			
1-16	X			
1-17	X			
1-18	X			
1-19	X			

1-20 COMMITTEE SUBSTITUTE FOR S.B. No. 252 By: Hughes

1-21 A BILL TO BE ENTITLED  
 1-22 AN ACT

1-23 relating to the licensing of certain veterans by the Texas  
 1-24 Commission on Law Enforcement and the hiring of those veterans by  
 1-25 political subdivisions.

1-26 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-27 SECTION 1. The heading to Chapter 370, Local Government  
 1-28 Code, is amended to read as follows:

1-29 CHAPTER 370. MISCELLANEOUS PROVISIONS RELATING TO [~~MUNICIPAL AND~~  
 1-30 ~~COUNTY~~] HEALTH AND PUBLIC SAFETY OF MORE THAN ONE TYPE OF LOCAL  
 1-31 GOVERNMENT

1-32 SECTION 2. Chapter 370, Local Government Code, is amended  
 1-33 by adding Section 370.007 to read as follows:

1-34 Sec. 370.007. APPOINTING OR EMPLOYING CERTAIN VETERANS TO  
 1-35 POSITION REQUIRING LICENSURE. (a) In this section, "commission"  
 1-36 means the Texas Commission on Law Enforcement.

1-37 (b) Notwithstanding any other law, a political subdivision  
 1-38 that appoints or employs a person to hold a position that requires  
 1-39 the person to be licensed by the commission may appoint or employ a  
 1-40 legal permanent resident of the United States to hold the position  
 1-41 if the person is an honorably discharged veteran of the armed forces  
 1-42 of the United States with at least two years of service before  
 1-43 discharge and holds the appropriate license issued by the  
 1-44 commission.

1-45 (c) A political subdivision may not appoint or employ a  
 1-46 person under this section to hold a supervisory position until the  
 1-47 person becomes a United States citizen.

1-48 SECTION 3. Subchapter G, Chapter 1701, Occupations Code, is  
 1-49 amended by adding Section 1701.3095 to read as follows:

1-50 Sec. 1701.3095. LICENSING OF CERTAIN VETERANS WHO ARE LEGAL  
 1-51 PERMANENT RESIDENTS. The commission shall issue a license the  
 1-52 commission is authorized to issue to a person who is a legal  
 1-53 permanent resident of the United States if the person:

1-54 (1) meets the requirements of this chapter and the  
 1-55 commission's rules for the license;

1-56 (2) is an honorably discharged veteran of the armed  
 1-57 forces of the United States with at least two years of service  
 1-58 before discharge; and

1-59 (3) presents evidence satisfactory to the commission  
 1-60 that the person has applied for United States citizenship.

2-1 SECTION 4. Section 1701.451(a), Occupations Code, is  
2-2 amended to read as follows:

2-3 (a) Before a law enforcement agency may hire a person  
2-4 licensed under this chapter, the agency must, on a form and in the  
2-5 manner prescribed by the commission:

2-6 (1) obtain the person's written consent for the agency  
2-7 to review the information required to be reviewed under this  
2-8 section;

2-9 (2) request from the commission and any other  
2-10 applicable person information required to be reviewed under this  
2-11 section; and

2-12 (3) submit to the commission confirmation that the  
2-13 agency, to the best of the agency's ability before hiring the  
2-14 person:

2-15 (A) contacted each entity or individual  
2-16 necessary to obtain the information required to be reviewed under  
2-17 this section; and

2-18 (B) except as provided by Subsection (b),  
2-19 obtained and reviewed as related to the person, as applicable:

2-20 (i) personnel files and other employee  
2-21 records from each previous law enforcement agency employer,  
2-22 including the employment application submitted to the previous  
2-23 employer;

2-24 (ii) employment termination reports  
2-25 maintained by the commission under this subchapter;

2-26 (iii) service records maintained by the  
2-27 commission;

2-28 (iv) proof that the person meets the  
2-29 minimum qualifications for enrollment in a training program under  
2-30 Section 1701.251(a);

2-31 (v) a military veteran's United States  
2-32 Department of Defense Form DD-214 or other military discharge  
2-33 record;

2-34 (vi) criminal history record information;

2-35 (vii) information on pending warrants as  
2-36 available through the Texas Crime Information Center and National  
2-37 Crime Information Center;

2-38 (viii) evidence of financial  
2-39 responsibility as required by Section 601.051, Transportation  
2-40 Code;

2-41 (ix) a driving record from the Department  
2-42 of Public Safety;

2-43 (x) proof of United States citizenship or,  
2-44 if the person is an honorably discharged veteran of the armed forces  
2-45 of the United States with at least two years of service before  
2-46 discharge, proof of legal permanent residence and proof that the  
2-47 person has applied for United States citizenship; and

2-48 (xi) information on the person's background  
2-49 from at least three personal references and at least two  
2-50 professional references.

2-51 SECTION 5. Not later than December 1, 2023, the Texas  
2-52 Commission on Law Enforcement shall amend rules as necessary to  
2-53 comply with Section 1701.3095, Occupations Code, as added by this  
2-54 Act, and Section 1701.451, Occupations Code, as amended by this  
2-55 Act.

2-56 SECTION 6. Section 1701.451, Occupations Code, as amended  
2-57 by this Act, applies only to the hiring of a person by a law  
2-58 enforcement agency that occurs on or after December 1, 2023. The  
2-59 hiring of a person by a law enforcement agency that occurs before  
2-60 that date is governed by the law in effect immediately before the  
2-61 effective date of this Act, and the former law is continued in  
2-62 effect for that purpose.

2-63 SECTION 7. This Act takes effect September 1, 2023.

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