

By: King, Bettencourt
Eckhardt

S.B. No. 1124

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) In this section:

(1) "Active duty" means current full-time military service in the armed forces of the United States.

(2) "Armed forces of the United States" means the army, navy, air force, space force, coast guard, or marine corps of the United States or a reserve unit of one of those branches of the armed forces.

(3) "Federal special investigator" means a person described by Article [2.122](#), Code of Criminal Procedure.

(4) "Military veteran" means a person who has served on active duty and who was discharged or released from active duty.

(b) 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) either:

(A) holds an active permanent peace officer license under Chapter [1701](#), Occupations Code; or

1 (B) is eligible to be licensed under Sections
2 [1701.309](#) and [1701.312](#), Occupations Code, and:

3 (i) has a minimum of five years of
4 experience as a federal special investigator; or

5 (ii) is a military veteran with a minimum of
6 10 years of combined active duty or national guard service
7 experience.

8 (c) A person is not eligible to be a candidate for the office
9 of sheriff unless the person holds an active permanent peace
10 officer license under Chapter [1701](#), Occupations Code, or is a
11 person described by Subsection (b)(2)(B)(i) or (ii) and obtains a
12 license within the time provided by Section [1701.302\(a\)](#),
13 Occupations Code.

14 SECTION 2. Section [1701.302\(a\)](#), Occupations Code, is
15 amended to read as follows:

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

21 SECTION 3. Section [85.0025](#), Local Government Code, is
22 repealed.

23 SECTION 4. The changes in law made by this Act to Sections
24 [85.0011](#) and [85.0025](#), Local Government Code, do not apply to a
25 sheriff serving a term that began before the effective date of this
26 Act. A sheriff serving a term that began before the effective date
27 of this Act is governed for the remainder of that term by Sections

1 85.0011 and 85.0025, Local Government Code, as those laws existed
2 immediately before the effective date of this Act, and the prior law
3 is continued in effect for that purpose.

4 SECTION 5. This Act takes effect September 1, 2023.