

By: King

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 Section 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.

(5) "Peace officer" means a peace officer described by Article 2.12, Code of Criminal Procedure.

(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) holds an active permanent peace officer

1 license [~~is eligible to be licensed~~] under Chapter 1701 [~~Sections~~
2 ~~1701.309 and 1701.312~~], Occupations Code;

3 (3) has a minimum of:

4 (A) 5 years experience as a full-time, paid peace
5 officer or federal special investigator; or

6 (B) 10 years combined active duty or national
7 guard service experience, and is a military veteran; and

8 (4) holds an intermediate, advanced, or master
9 proficiency certificate under Section 1701.402, Occupations Code.

10 (c) A person is not eligible to be a candidate for the office
11 of sheriff unless the person meets the qualifications prescribed by
12 Subsection (b).

13 SECTION 2. Section 1701.302(a), Occupations Code, is
14 amended to read as follows:

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

20 SECTION 3. Section 85.0025, Local Government Code, is
21 repealed.

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

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1 immediately before the effective date of this Act, and the prior law
2 is continued in effect for that purpose.

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