

By: VanDeaver

H.B. No. 1115

A BILL TO BE ENTITLED

1 AN ACT
2 relating to the employment of honorably retired peace officers as
3 school district security personnel and the applicability to those
4 officers of certain law governing private security.

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

6 SECTION 1. Section 37.081, Education Code, is amended by
7 adding Subsection (a-5) to read as follows:

8 (a-5) An honorably retired peace officer, as defined by
9 Section 614.121, Government Code, employed as security personnel
10 under Subsection (a) must:

11 (1) keep the peace officer's license in active status;
12 and

13 (2) fulfill all applicable requirements under
14 Sections 1701.351 and 1701.352, Occupations Code.

15 SECTION 2. Section 1702.002, Occupations Code, is amended
16 by adding Subdivision (19) to read as follows:

17 (19) "School district honorably retired peace
18 officer" means an honorably retired peace officer, as defined by
19 Section 614.121, Government Code, who is employed by a school
20 district.

21 SECTION 3. Section 1702.322, Occupations Code, is amended
22 to read as follows:

23 Sec. 1702.322. LAW ENFORCEMENT PERSONNEL. This chapter
24 does not apply to:

1 (1) a person who is a peace officer or a school
2 district honorably retired peace officer [~~has full-time employment~~
3 ~~as a peace officer~~] and who receives compensation for private
4 employment on an individual or an independent contractor basis as a
5 patrolman, guard, extra job coordinator, or watchman if the
6 officer:

7 (A) is employed in an employee-employer
8 relationship or employed on an individual contractual basis:

9 (i) directly by the recipient of the
10 services; or

11 (ii) by a company licensed under this
12 chapter;

13 (B) is not in the employ of another peace
14 officer;

15 (C) [~~is not a reserve peace officer; and~~

16 [~~(D)~~] works [~~as a peace officer~~] on the average
17 of at least 32 hours a week for and[~~7~~] is compensated [~~by the state~~
18 ~~or a political subdivision of the state~~] at least at the minimum
19 wage by:

20 (i) for a peace officer, the state or a
21 political subdivision of the state; or

22 (ii) for a school district honorably
23 retired peace officer, a school district; and

24 (D) is entitled to all employee benefits offered
25 to a peace officer by the state or political subdivision described
26 by Paragraph (C);

27 (2) a reserve peace officer while the reserve officer

1 is performing guard, patrolman, or watchman duties for a county and
2 is being compensated solely by that county;

3 (3) a peace officer acting in an official capacity in
4 responding to a burglar alarm or detection device; or

5 (4) a person engaged in the business of electronic
6 monitoring of an individual as a condition of that individual's
7 community supervision, parole, mandatory supervision, or release
8 on bail, if the person does not perform any other service that
9 requires a license under this chapter.

10 SECTION 4. This Act takes effect immediately if it receives
11 a vote of two-thirds of all the members elected to each house, as
12 provided by Section 39, Article III, Texas Constitution. If this
13 Act does not receive the vote necessary for immediate effect, this
14 Act takes effect September 1, 2025.