

By: Y. Davis of Dallas, Anchía

H.B. No. 3948

Substitute the following for H.B. No. 3948:

By: Bell of Montgomery

C.S.H.B. No. 3948

A BILL TO BE ENTITLED

AN ACT

relating to the office of inspector general of certain municipalities.

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

SECTION 1. (a) Article [2A.001](#), Code of Criminal Procedure, is amended to conform to Section 2, Chapter 624 (H.B. 4372), Section 1, Chapter 870 (H.B. 3981), Section 1, Chapter 950 (S.B. 1727), and Section 1, Chapter 984 (S.B. 2612), Acts of the 88th Legislature, Regular Session, 2023, and is further amended to read as follows:

Art. 2A.001. PEACE OFFICERS GENERALLY. The following are peace officers:

(1) a sheriff, a sheriff's deputy, or a reserve deputy sheriff who holds a permanent peace officer license issued under Chapter [1701](#), Occupations Code;

(2) a constable, a deputy constable, or a reserve deputy constable who holds a permanent peace officer license issued under Chapter [1701](#), Occupations Code;

(3) a marshal or police officer of a municipality or a reserve municipal police officer who holds a permanent peace officer license issued under Chapter [1701](#), Occupations Code;

(4) a ranger, officer, or member of the reserve officer corps commissioned by the Public Safety Commission and the director of the Department of Public Safety;

(5) an investigator of a district attorney's, criminal

1 district attorney's, or county attorney's office;

2 (6) a law enforcement agent of the Texas Alcoholic
3 Beverage Commission;

4 (7) a member of an arson investigating unit
5 commissioned by a municipality, a county, or the state;

6 (8) an officer commissioned under Section [37.081](#) or
7 [37.0818](#), Education Code, or Subchapter [E](#), Chapter [51](#), Education
8 Code;

9 (9) an officer commissioned by the Texas Facilities
10 Commission;

11 (10) a law enforcement officer commissioned by the
12 Parks and Wildlife Commission;

13 (11) an officer commissioned under Chapter [23](#),
14 Transportation Code;

15 (12) a municipal park and recreational patrol officer
16 or security officer;

17 (13) a security officer or investigator commissioned
18 as a peace officer by the comptroller;

19 (14) an officer commissioned by a water control and
20 improvement district under Section [49.216](#), Water Code;

21 (15) an officer commissioned by a board of trustees
22 under Chapter [54](#), Transportation Code;

23 (16) an investigator commissioned by the Texas Medical
24 Board;

25 (17) an officer commissioned by:

26 (A) the board of managers of the Dallas County
27 Hospital District, the Tarrant County Hospital District, the Bexar

County Hospital District, or the El Paso County Hospital District under Section 281.057, Health and Safety Code;

(B) the board of directors of the Ector County Hospital District under Section 1024.117, Special District Local Laws Code;

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

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

(18) a county park ranger commissioned under Subchapter E, Chapter 351, Local Government Code;

(19) an investigator employed by the Texas Racing Commission;

(20) an officer commissioned under Chapter 554, Occupations Code;

(21) an officer commissioned by the governing body of a metropolitan rapid transit authority under Section 451.108, Transportation Code, or a regional transportation authority under Section 452.110, Transportation Code;

(22) an investigator commissioned by the attorney general under Section 402.009, Government Code;

(23) a security officer or investigator commissioned as a peace officer under Chapter 466, Government Code;

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

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

(26) an investigator commissioned by the commissioner of insurance under Section 701.104, Insurance Code;

(27) an officer appointed by the inspector general of ~~[apprehension specialist or inspector general commissioned by]~~ the Texas Juvenile Justice Department ~~[as an officer]~~ under Section 242.102 ~~[or 243.052]~~, Human Resources Code;

(28) an officer appointed by the inspector general of the Texas Department of Criminal Justice under Section 493.019, Government Code;

(29) an investigator commissioned by the Texas Commission on Law Enforcement under Section 1701.160, Occupations Code;

(30) a fire marshal or any related officer, inspector, or investigator commissioned by a county under Subchapter B, Chapter 352, Local Government Code;

(31) a fire marshal or any officer, inspector, or investigator commissioned by an emergency services district under Chapter 775, Health and Safety Code;

(32) a fire marshal or any officer, inspector, or investigator of a municipality who holds a permanent peace officer license issued under Chapter 1701, Occupations Code;

(33) an officer commissioned by the State Board of Dental Examiners under Section 254.013, Occupations Code, subject to the limitations imposed by that section; ~~[and]~~

(34) ~~[(33)]~~ an Alamo complex ranger commissioned by

1 the General Land Office under Section 31.0515, Natural Resources
2 Code, subject to the limitations imposed by that section; and

3 (35) an investigator of the office of the inspector
4 general of a municipality commissioned under Section 26.048, Local
5 Government Code [~~investigator commissioned by the Texas Juvenile~~
6 ~~Justice Department as an officer under Section 221.011, Human~~
7 ~~Resources Code~~].

8 (b) Section 2, Chapter 624 (H.B. 4372), Section 1, Chapter
9 870 (H.B. 3981), Section 1, Chapter 950 (S.B. 1727), and Section 1,
10 Chapter 984 (S.B. 2612), Acts of the 88th Legislature, Regular
11 Session, 2023, which amended Article 2.12, Code of Criminal
12 Procedure, are repealed.

13 SECTION 2. Article 18B.001(1), Code of Criminal Procedure,
14 as amended by Chapters 901 (H.B. 4906) and 950 (S.B. 1727), Acts of
15 the 88th Legislature, Regular Session, 2023, is reenacted and
16 amended to read as follows:

- 17 (1) "Authorized peace officer" means:
- 18 (A) a sheriff or deputy sheriff;
 - 19 (B) a constable or deputy constable;
 - 20 (C) a marshal or police officer of a
21 municipality;
 - 22 (D) a ranger or officer commissioned by the
23 Public Safety Commission or the director of the department;
 - 24 (E) an investigator of a prosecutor's office;
 - 25 (F) a law enforcement agent of the Texas
26 Alcoholic Beverage Commission;
 - 27 (G) a law enforcement officer commissioned by the

1 Parks and Wildlife Commission;

2 (H) an enforcement officer appointed by the
3 inspector general of the Texas Department of Criminal Justice under
4 Section 493.019, Government Code;

5 (I) a law enforcement officer appointed by the
6 inspector general of the Texas Juvenile Justice Department under
7 Section 242.102, Human Resources Code;

8 (J) an investigator commissioned by the attorney
9 general under Section 402.009, Government Code;

10 (K) a member of an arson investigating unit
11 commissioned by a municipality, a county, or the state; ~~[or]~~

12 (L) ~~[(K)]~~ a peace officer commissioned under
13 Section 37.081 or 51.203, Education Code; or

14 (M) an investigator of the office of the
15 inspector general of a municipality commissioned under Section
16 26.048, Local Government Code.

17 SECTION 3. Subchapter C, Chapter 26, Local Government Code,
18 is amended by adding Section 26.048 to read as follows:

19 Sec. 26.048. OFFICE OF INSPECTOR GENERAL IN CERTAIN
20 MUNICIPALITIES. (a) This section applies only to a municipality
21 that:

22 (1) has a population of more than 500,000; and
23 (2) is primarily located in a county with a population
24 of more than 2.5 million that is adjacent to a county with a
25 population of more than 2 million.

26 (b) The office of the inspector general of a municipality
27 may investigate the operations of any agency, office, or department

of the municipality, including the office of the city manager and the office of the city attorney, to prevent and detect:

- (1) serious breaches of municipal policy; and
- (2) fraud, abuse of office, and any other criminal activity.

(c) The office of the inspector general shall report any findings resulting from an investigation under Subsection (b) or other law to the district attorney, criminal district attorney, or county attorney, as appropriate. That prosecuting attorney shall review the findings and determine whether further action is warranted.

(d) The office of the city manager or the office of the city attorney may not impede:

- (1) the operations of the office of the inspector general; or
- (2) an investigator of the office of the inspector general commissioned as a peace officer under Subsection (e).

(e) A municipality that has an office of the inspector general may commission as peace officers the investigators of that office.

SECTION 4. To the extent of any conflict, this Act prevails over another Act of the 89th Legislature, Regular Session, 2025, relating to nonsubstantive additions to and corrections in enacted codes.

SECTION 5. This Act takes effect September 1, 2025.