

By: Hefner

H.B. No. 4257

A BILL TO BE ENTITLED

AN ACT

relating to United States citizenship requirements for the
licensing and employment of peace officers.

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

SECTION 1. Subchapter G, Chapter 1701, Occupations Code, is
amended by adding Section 1701.3091 to read as follows:

Sec. 1701.3091. CITIZENSHIP REQUIREMENT FOR PEACE OFFICER
LICENSE APPLICANT. (a) Except as provided by Section 1701.3095,
the commission shall require a person applying for a peace officer
license or the renewal of a peace officer license to provide proof
of United States citizenship.

(b) A person who satisfies the requirements of Subsection
(a) is not required to submit evidence of the person's United States
citizenship for the subsequent renewal of the person's peace
officer license.

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

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

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

(2) request from the commission and any other

1 applicable person information required to be reviewed under this
2 section; and

3 (3) submit to the commission confirmation that the
4 agency, before hiring the person:

5 (A) received proof:

6 (i) of the person's United States
7 citizenship; or

8 (ii) if the person is not a United States
9 citizen, that the person:

10 (a) is a legal permanent resident of
11 the United States;

12 (b) is an honorably discharged
13 veteran of the armed forces of the United States with at least two
14 years of service before discharge; and

15 (c) has applied for United States
16 citizenship; and

17 (B) to the best of the agency's ability [~~before~~
18 ~~hiring the person~~]:

19 (i) [~~(A)~~] contacted each entity or
20 individual necessary to obtain the information required to be
21 reviewed under this section; and

22 (ii) [~~(B)~~] except as provided by Subsection
23 (b), obtained and reviewed as related to the person, as applicable:

24 (a) [~~(i)~~] personnel files, as
25 described by Section 1701.4535, and other employee records from
26 each previous law enforcement agency employer, including the
27 employment application submitted to the previous employer;

1 (b) [~~(ii)~~] employment termination
2 reports and misconduct investigation reports maintained by the
3 commission under this subchapter;

4 (c) [~~(iii)~~] service records
5 maintained by the commission;

6 (d) [~~(iv)~~] proof that the person
7 meets the minimum qualifications for enrollment in a training
8 program under Section 1701.251(a);

9 (e) [~~(v)~~] a military veteran's United
10 States Department of Defense Form DD-214 or other military
11 discharge record;

12 (f) [~~(vi)~~] criminal history record
13 information;

14 (g) [~~(vii)~~] information on pending
15 warrants as available through the Texas Crime Information Center
16 and National Crime Information Center;

17 (h) [~~(viii)~~] evidence of financial
18 responsibility as required by Section 601.051, Transportation
19 Code;

20 (i) [~~(ix)~~] a driving record from the
21 Department of Public Safety;

22 (j) [~~(x)~~] ~~proof of United States~~
23 ~~citizenship or, if the person is an honorably discharged veteran of~~
24 ~~the armed forces of the United States with at least two years of~~
25 ~~service before discharge, proof of legal permanent residence and~~
26 ~~proof that the person has applied for United States citizenship;~~

27 [~~(xi)~~] information on the person's

1 background from at least three personal references and at least two
2 professional references; and

3 (k) [~~(xii)~~] information on the
4 person's law enforcement background as available through a database
5 designated by the commission under Section 1701.169 and, if
6 applicable, a file or record obtained by the commission under
7 Section 1701.3035.

8 SECTION 3. (a) Section 1701.3091, Occupations Code, as
9 added by this Act, applies only to an application for the issuance
10 or renewal of a peace officer license submitted on or after the
11 effective date of this Act. An application submitted before the
12 effective date of this Act is governed by the law in effect on the
13 date the application was submitted, and the former law is continued
14 in effect for that purpose.

15 (b) The changes in law made by this Act to Section 1701.451,
16 Occupations Code, apply only to a law enforcement agency that seeks
17 to hire a person licensed under Chapter 1701, Occupations Code, on
18 or after the effective date of this Act. The hiring of a person by a
19 law enforcement agency before that date is governed by the law in
20 effect on the hiring date, and the former law is continued in effect
21 for that purpose.

22 SECTION 4. This Act takes effect July 1, 2025, if it
23 receives a vote of two-thirds of all members elected to each house,
24 as provided by Section 39, Article III, Texas Constitution. If this
25 Act does not receive the vote necessary for effect on that date,
26 this Act takes effect September 1, 2025.