

By: Kolkhorst

S.B. No. 739

A BILL TO BE ENTITLED

AN ACT

relating to the definition of authorized peace officer for purposes of certain laws governing the installation and use of tracking equipment and access to certain communications.

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

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

(1) "Authorized peace officer" means:

(A) a sheriff or deputy sheriff;

(B) a constable or deputy constable;

(C) a marshal or police officer of a municipality;

(D) a ranger or officer commissioned by the Public Safety Commission or the director of the department;

(E) an investigator of a prosecutor's office;

(F) a law enforcement agent of the Texas Alcoholic Beverage Commission;

(G) a law enforcement officer commissioned by the Parks and Wildlife Commission;

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

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

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

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

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

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

SECTION 2. 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 3. This Act takes effect September 1, 2025.