

1-1 By: Menendez (Senate Sponsor - Whitmire) H.B. No. 875
1-2 (In the Senate - Received from the House May 7, 2003;
1-3 May 9, 2003, read first time and referred to Committee on Criminal
1-4 Justice; May 23, 2003, reported favorably by the following vote:
1-5 Yeas 4, Nays 0; May 23, 2003, sent to printer.)

1-6 A BILL TO BE ENTITLED
1-7 AN ACT

1-8 relating to peace officers commissioned by the State Board of
1-9 Dental Examiners.

1-10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-11 SECTION 1. Article 2.12, Code of Criminal Procedure, is
1-12 amended to read as follows:

1-13 Art. 2.12. WHO ARE PEACE OFFICERS. The following are peace
1-14 officers:

1-15 (1) sheriffs, their deputies, and those reserve
1-16 deputies who hold a permanent peace officer license issued under
1-17 Chapter 1701, Occupations Code;

1-18 (2) constables, deputy constables, and those reserve
1-19 deputy constables who hold a permanent peace officer license issued
1-20 under Chapter 1701, Occupations Code;

1-21 (3) marshals or police officers of an incorporated
1-22 city, town, or village, and those reserve municipal police officers
1-23 who hold a permanent peace officer license issued under Chapter
1-24 1701, Occupations Code;

1-25 (4) rangers and officers commissioned by the Public
1-26 Safety Commission and the Director of the Department of Public
1-27 Safety;

1-28 (5) investigators of the district attorneys', criminal
1-29 district attorneys', and county attorneys' offices;

1-30 (6) law enforcement agents of the Texas Alcoholic
1-31 Beverage Commission;

1-32 (7) each member of an arson investigating unit
1-33 commissioned by a city, a county, or the state;

1-34 (8) officers commissioned under Section 37.081,
1-35 Education Code, or Subchapter E, Chapter 51, Education Code;

1-36 (9) officers commissioned by the General Services
1-37 Commission;

1-38 (10) law enforcement officers commissioned by the
1-39 Parks and Wildlife Commission;

1-40 (11) airport police officers commissioned by a city
1-41 with a population of more than 1.18 million that operates an airport
1-42 that serves commercial air carriers;

1-43 (12) airport security personnel commissioned as peace
1-44 officers by the governing body of any political subdivision of this
1-45 state, other than a city described by Subdivision (11), that
1-46 operates an airport that serves commercial air carriers;

1-47 (13) municipal park and recreational patrolmen and
1-48 security officers;

1-49 (14) security officers and investigators commissioned
1-50 as peace officers by the comptroller;

1-51 (15) officers commissioned by a water control and
1-52 improvement district under Section 49.216, Water Code;

1-53 (16) officers commissioned by a board of trustees
1-54 under Chapter 54, Transportation Code;

1-55 (17) investigators commissioned by the Texas State
1-56 Board of Medical Examiners;

1-57 (18) officers commissioned by the board of managers of
1-58 the Dallas County Hospital District, the Tarrant County Hospital
1-59 District, or the Bexar County Hospital District under Section
1-60 281.057, Health and Safety Code;

1-61 (19) county park rangers commissioned under
1-62 Subchapter E, Chapter 351, Local Government Code;

1-63 (20) investigators employed by the Texas Racing
1-64 Commission;

2-1 (21) officers commissioned under Chapter 554,
2-2 Occupations Code;
2-3 (22) officers commissioned by the governing body of a
2-4 metropolitan rapid transit authority under Section 451.108,
2-5 Transportation Code, or by a regional transportation authority
2-6 under Section 452.110, Transportation Code;
2-7 (23) investigators commissioned by the attorney
2-8 general under Section 402.009, Government Code;
2-9 (24) security officers and investigators commissioned
2-10 as peace officers under Chapter 466, Government Code;
2-11 (25) an officer employed by the Texas Department of
2-12 Health under Section 431.2471, Health and Safety Code;
2-13 (26) officers appointed by an appellate court under
2-14 Subchapter F, Chapter 53, Government Code;
2-15 (27) officers commissioned by the state fire marshal
2-16 under Chapter 417, Government Code;
2-17 (28) an investigator commissioned by the commissioner
2-18 of insurance under Article 1.10D, Insurance Code;
2-19 (29) apprehension specialists commissioned by the
2-20 Texas Youth Commission as officers under Section 61.0931, Human
2-21 Resources Code;
2-22 (30) officers appointed by the executive director of
2-23 the Texas Department of Criminal Justice under Section 493.019,
2-24 Government Code;
2-25 (31) investigators commissioned by the Commission on
2-26 Law Enforcement Officer Standards and Education under Section
2-27 1701.160, Occupations Code;
2-28 (32) commission investigators commissioned by the
2-29 Texas Commission on Private Security under Section 1702.061(f),
2-30 Occupations Code; ~~and~~
2-31 (33) the fire marshal, and any investigators
2-32 commissioned by an emergency services district to assist that fire
2-33 marshal, under Subchapter F, Chapter 775, Health and Safety Code;
2-34 and
2-35 (34) officers commissioned by the State Board of
2-36 Dental Examiners under Section 254.013, Occupations Code, subject
2-37 to the limitations imposed by that section.
2-38 SECTION 2. Chapter 254, Occupations Code, is amended by
2-39 adding Section 254.013 to read as follows:
2-40 Sec. 254.013. PEACE OFFICERS. (a) The board may commission
2-41 as a peace officer to enforce this subtitle an employee who has been
2-42 certified as qualified to be a peace officer by the Commission on
2-43 Law Enforcement Officer Standards and Education.
2-44 (b) An employee commissioned as a peace officer under this
2-45 subtitle has the powers, privileges, and immunities of a peace
2-46 officer while carrying out duties as a peace officer under this
2-47 subtitle.
2-48 SECTION 3. This Act takes effect immediately if it receives
2-49 a vote of two-thirds of all the members elected to each house, as
2-50 provided by Section 39, Article III, Texas Constitution. If this
2-51 Act does not receive the vote necessary for immediate effect, this
2-52 Act takes effect September 1, 2003.

2-53 * * * * *