

By: Uresti

H.B. No. 2534

A BILL TO BE ENTITLED

AN ACT

relating to commissioning certain fire code enforcement inspectors and fire hazard inspectors as peace officers.

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

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

Art. 2.12. WHO ARE PEACE OFFICERS. The following are peace officers:

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

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

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

(4) rangers and officers commissioned by the Public Safety Commission and the Director of the Department of Public Safety;

(5) investigators of the district attorneys', criminal district attorneys', and county attorneys' offices;

(6) law enforcement agents of the Texas Alcoholic

1 Beverage Commission;

2 (7) each member of an arson investigating unit
3 commissioned by a city, a county, or the state, a fire code
4 enforcement inspector commissioned under Section 233.061(c), Local
5 Government Code, and a fire hazard inspector commissioned under
6 Section 352.016, Local Government Code;

7 (8) officers commissioned under Section 37.081,
8 Education Code, or Subchapter E, Chapter 51, Education Code;

9 (9) officers commissioned by the General Services
10 Commission;

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

13 (11) airport police officers commissioned by a city
14 with a population of more than 1.18 million that operates an airport
15 that serves commercial air carriers;

16 (12) airport security personnel commissioned as peace
17 officers by the governing body of any political subdivision of this
18 state, other than a city described by Subdivision (11), that
19 operates an airport that serves commercial air carriers;

20 (13) municipal park and recreational patrolmen and
21 security officers;

22 (14) security officers and investigators commissioned
23 as peace officers by the comptroller;

24 (15) officers commissioned by a water control and
25 improvement district under Section 49.216, Water Code;

26 (16) officers commissioned by a board of trustees
27 under Chapter 54, Transportation Code;

1 (17) investigators commissioned by the Texas State
2 Board of Medical Examiners;

3 (18) officers commissioned by the board of managers of
4 the Dallas County Hospital District, the Tarrant County Hospital
5 District, or the Bexar County Hospital District under Section
6 281.057, Health and Safety Code;

7 (19) county park rangers commissioned under
8 Subchapter E, Chapter 351, Local Government Code;

9 (20) investigators employed by the Texas Racing
10 Commission;

11 (21) officers commissioned under Chapter 554,
12 Occupations Code;

13 (22) officers commissioned by the governing body of a
14 metropolitan rapid transit authority under Section 451.108,
15 Transportation Code, or by a regional transportation authority
16 under Section 452.110, Transportation Code;

17 (23) investigators commissioned by the attorney
18 general under Section 402.009, Government Code;

19 (24) security officers and investigators commissioned
20 as peace officers under Chapter 466, Government Code;

21 (25) an officer employed by the Texas Department of
22 Health under Section 431.2471, Health and Safety Code;

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

25 (27) officers commissioned by the state fire marshal
26 under Chapter 417, Government Code;

27 (28) an investigator commissioned by the commissioner

1 of insurance under Article 1.10D, Insurance Code;

2 (29) apprehension specialists commissioned by the
3 Texas Youth Commission as officers under Section 61.0931, Human
4 Resources Code;

5 (30) officers appointed by the executive director of
6 the Texas Department of Criminal Justice under Section 493.019,
7 Government Code;

8 (31) investigators commissioned by the Commission on
9 Law Enforcement Officer Standards and Education under Section
10 1701.160, Occupations Code;

11 (32) commission investigators commissioned by the
12 Texas Commission on Private Security under Section 1702.061(f),
13 Occupations Code; and

14 (33) the fire marshal, and any investigators
15 commissioned by an emergency services district to assist that fire
16 marshal, under Subchapter F, Chapter 775, Health and Safety Code.

17 SECTION 2. Section 233.061, Local Government Code, is
18 amended by adding Subsection (c) to read as follows:

19 (c) The commissioners court may commission as peace
20 officers persons employed by the county to perform inspections
21 under this subchapter.

22 SECTION 3. Section 352.016, Local Government Code, is
23 amended by adding Subsection (e) to read as follows:

24 (e) The commissioners court may commission as peace
25 officers persons employed by the county to perform inspections
26 under this section.

27 SECTION 4. This Act takes effect September 1, 2003.