

By: Garza

H.B. No. 2762

Substitute the following for H.B. No. 2762:

By: Driver

C.S.H.B. No. 2762

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the functions of the Commission on Law Enforcement
3 Officer Standards and Education.

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

5 SECTION 1. Section 1701.152, Occupations Code, is amended
6 to read as follows:

7 Sec. 1701.152. RULES RELATING TO HIRING DATE OF PEACE
8 OFFICER. A [The] commission [may not adopt or enforce a] rule that
9 sets the date of appointment of a peace officer at a later date than
10 the date that appears on employment records of the hiring law
11 enforcement agency does not affect any matter related to retirement
12 or longevity benefits.

13 SECTION 2. Section 1701.307(b), Occupations Code, is
14 amended to read as follows:

15 (b) The commission may issue a [~~permanent~~] license to a
16 person to serve as an officer and may issue a license or temporary
17 [~~or permanent~~] license to a person to serve as a county jailer.

18 SECTION 3. Section 1701.502, Occupations Code, is amended
19 to read as follows:

20 Sec. 1701.502. FELONY CONVICTION; CONVICTION OF SEXUAL
21 OFFENSE AGAINST CHILD; [OR] PLACEMENT ON COMMUNITY SUPERVISION. (a)
22 The commission shall immediately revoke the license of a person
23 licensed under this chapter who is convicted of:

24 (1) a felony; or

1 (2) an offense listed in Section 13B(b), Article
2 42.12, Code of Criminal Procedure, if the victim of the offense is
3 described by Section 13B(a), Article 42.12, Code of Criminal
4 Procedure.

5 (b) The commission shall immediately revoke [~~suspend~~] the
6 license of a person licensed under this chapter who is:

7 (1) charged with a felony and [is] placed on community
8 supervision, regardless of whether the court defers further
9 proceedings without entering an adjudication of guilt; or

10 (2) charged with an offense listed in Section 13B(b),
11 Article 42.12, Code of Criminal Procedure, and placed on community
12 supervision, regardless of whether the court defers further
13 proceedings without entering an adjudication of guilt, if the
14 victim of the offense is described by Section 13B(a), Article
15 42.12, Code of Criminal Procedure.

16 ~~[(c) The commission may reinstate, as provided by~~
17 ~~commission rules, a license that is suspended under Subsection (b)~~
18 ~~when the license holder is released from community supervision.]~~

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