

By: Garza

H.B. No. 2762

A BILL TO BE ENTITLED

AN ACT

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

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

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

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

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

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

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

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

(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 victim
14 of the offense is described by Section 13B(a), Article 42.12, Code
15 or 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.