

By: Keel

H.B. No. 2798

A BILL TO BE ENTITLED

1 AN ACT

2 relating to authorizing the state auditor to commission  
3 investigators as peace officers.

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

5 SECTION 1. Section 321.011, Government Code, is amended by  
6 adding Subsection (e) to read as follows:

7 (e) The State Auditor may:

8 (1) employ investigators as the State Auditor  
9 considers necessary to implement this chapter; and

10 (2) commission not more than eight investigators as  
11 peace officers.

12 SECTION 2. Article 2.12, Code of Criminal Procedure, as  
13 amended by Chapters 272, 442, 669, and 1420, Acts of the 77th  
14 Legislature, Regular Session, 2001, is amended to read as follows:

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

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

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

23 (3) marshals or police officers of an incorporated  
24 city, town, or village, and those reserve municipal police officers

1 who hold a permanent peace officer license issued under Chapter  
2 1701, Occupations Code;

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

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

8 (6) law enforcement agents of the Texas Alcoholic  
9 Beverage Commission;

10 (7) each member of an arson investigating unit  
11 commissioned by a city, a county, or the state;

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

14 (9) officers commissioned by the General Services  
15 Commission;

16 (10) law enforcement officers commissioned by the  
17 Parks and Wildlife Commission;

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

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

25 (13) municipal park and recreational patrolmen and  
26 security officers;

27 (14) security officers and investigators commissioned

1 as peace officers by the comptroller;

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

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

6 (17) investigators commissioned by the Texas State  
7 Board of Medical Examiners;

8 (18) officers commissioned by the board of managers of  
9 the Dallas County Hospital District, the Tarrant County Hospital  
10 District, or the Bexar County Hospital District under Section  
11 281.057, Health and Safety Code;

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

14 (20) investigators employed by the Texas Racing  
15 Commission;

16 (21) officers commissioned under Chapter 554,  
17 Occupations Code;

18 (22) officers commissioned by the governing body of a  
19 metropolitan rapid transit authority under Section 451.108,  
20 Transportation Code, or by a regional transportation authority  
21 under Section 452.110, Transportation Code;

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

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

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

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

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

5           (28) an investigator commissioned by the commissioner  
6 of insurance under Article 1.10D, Insurance Code;

7           (29) apprehension specialists commissioned by the  
8 Texas Youth Commission as officers under Section 61.0931, Human  
9 Resources Code;

10          (30) officers appointed by the executive director of  
11 the Texas Department of Criminal Justice under Section 493.019,  
12 Government Code;

13          (31) investigators commissioned by the Commission on  
14 Law Enforcement Officer Standards and Education under Section  
15 1701.160, Occupations Code;

16          (32) commission investigators commissioned by the  
17 Texas Commission on Private Security under Section 1702.061(f),  
18 Occupations Code; ~~and~~

19          (33) the fire marshal, and any investigators  
20 commissioned by an emergency services district to assist that fire  
21 marshal, under Subchapter F, Chapter 775, Health and Safety Code;  
22 and

23          (34) investigators commissioned by the state auditor  
24 under Section 321.011, Government Code.

25           SECTION 3. This Act takes effect September 1, 2003.