

By: Barrientos

S.B. No. 192

A BILL TO BE ENTITLED

AN ACT

relating to the purchase of a badge, insignia, weapon, or uniform of a peace officer or fire fighter.

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

SECTION 1. Subchapter D, Chapter 614, Government Code, is amended by adding Section 614.055 to read as follows:

Sec. 614.055. PURCHASE OF BADGE, INSIGNIA, WEAPON, OR UNIFORM OF CERTAIN HONORABLY RETIRED OR DECEASED PEACE OFFICERS OR FIRE FIGHTERS. (a) An individual may purchase a badge, insignia, weapon, or uniform from a state or local governmental agency as provided by this section if:

(1) the individual was commissioned or employed by the agency as a:

(A) peace officer;

(B) fire fighter;

(C) licensed paramedic;

(D) certified emergency medical technician; or

(E) fire or emergency medical services dispatcher;

(2) the individual:

(A) was honorably retired from the individual's commission or employment by the agency; or

(B) is scheduled to retire honorably not later than 90 days after the date of purchase from the individual's

1 commission or employment by the agency; and

2 (3) the badge, insignia, weapon, or uniform had been
3 previously issued to the individual by the agency.

4 (b) The nearest surviving relative of an individual
5 described by Subsection (a)(1) who died or was permanently disabled
6 in the line of duty under honorable circumstances as determined by
7 the agency may purchase items described by Subsection (a)(3).

8 (c) An individual or person may not purchase a weapon
9 prohibited under Section 46.05, Penal Code.

10 (d) Another person such as an association of peace officers
11 or fire fighters may purchase a badge, insignia, weapon, or uniform
12 to present to an individual who meets the qualifications of
13 Subsection (a) or to the nearest surviving relative described by
14 Subsection (b).

15 (e) An individual or person who purchases a badge, insignia,
16 weapon, or uniform under this section must:

17 (1) purchase the badge, insignia, weapon, or uniform
18 at fair market value; and

19 (2) permanently affix on a plaque or place in a
20 presentation case the badge, insignia, weapon, or uniform.

21 (f) This section does not apply to the extent that an item
22 may be purchased by or on behalf of an individual under other law.

23 SECTION 2. The heading to Subchapter D, Chapter 614,
24 Government Code, is amended to read as follows:

25 SUBCHAPTER D. PURCHASE OF AGENCY-ISSUED ITEMS [~~FIREARM~~] OF
26 HONORABLY RETIRED OR DECEASED PEACE OFFICER OR FIRE FIGHTER

27 SECTION 3. Section 614.053, Government Code, is amended to

1 read as follows:

2 Sec. 614.053. PURCHASE PRICE OF FIREARM. A state or local
3 governmental agency shall establish the amount, which may not
4 exceed fair market value, for which a firearm or other item may be
5 purchased under this subchapter.

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