

1-1 By: Barrientos S.B. No. 192
1-2 (In the Senate - Filed January 14, 2003; January 30, 2003,
1-3 read first time and referred to Committee on Intergovernmental
1-4 Relations; May 2, 2003, reported favorably by the following vote:
1-5 Yeas 5, Nays 0; May 2, 2003, sent to printer.)

1-6 A BILL TO BE ENTITLED
1-7 AN ACT

1-8 relating to the purchase of a badge, insignia, weapon, or uniform of
1-9 a peace officer or firefighter.

1-10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-11 SECTION 1. Subchapter D, Chapter 614, Government Code, is
1-12 amended by adding Section 614.055 to read as follows:

1-13 Sec. 614.055. PURCHASE OF BADGE, INSIGNIA, WEAPON, OR
1-14 UNIFORM OF CERTAIN HONORABLY RETIRED OR DECEASED PEACE OFFICERS OR
1-15 FIRE FIGHTERS. (a) An individual may purchase a badge, insignia,
1-16 weapon, or uniform from a state or local governmental agency as
1-17 provided by this section if:

1-18 (1) the individual was commissioned or employed by the
1-19 agency as a:

- 1-20 (A) peace officer;
- 1-21 (B) fire fighter;
- 1-22 (C) licensed paramedic;
- 1-23 (D) certified emergency medical technician; or
- 1-24 (E) fire or emergency medical services
1-25 dispatcher;

1-26 (2) the individual:

1-27 (A) was honorably retired from the individual's
1-28 commission or employment by the agency; or

1-29 (B) is scheduled to retire honorably not later
1-30 than 90 days after the date of purchase from the individual's
1-31 commission or employment by the agency; and

1-32 (3) the badge, insignia, weapon, or uniform had been
1-33 previously issued to the individual by the agency.

1-34 (b) The nearest surviving relative of an individual
1-35 described by Subsection (a)(1) who died or was permanently disabled
1-36 in the line of duty under honorable circumstances as determined by
1-37 the agency may purchase items described by Subsection (a)(3).

1-38 (c) An individual or person may not purchase a weapon
1-39 prohibited under Section 46.05, Penal Code.

1-40 (d) Another person such as an association of peace officers
1-41 or fire fighters may purchase a badge, insignia, weapon, or uniform
1-42 to present to an individual who meets the qualifications of
1-43 Subsection (a) or to the nearest surviving relative described by
1-44 Subsection (b).

1-45 (e) An individual or person who purchases a badge, insignia,
1-46 weapon, or uniform under this section must:

1-47 (1) purchase the badge, insignia, weapon, or uniform
1-48 at fair market value; and

1-49 (2) permanently affix on a plaque or place in a
1-50 presentation case the badge, insignia, weapon, or uniform.

1-51 (f) This section does not apply to the extent that an item
1-52 may be purchased by or on behalf of an individual under other law.

1-53 SECTION 2. The heading to Subchapter D, Chapter 614,
1-54 Government Code, is amended to read as follows:

1-55 SUBCHAPTER D. PURCHASE OF AGENCY-ISSUED ~~ITEMS~~ [FIREARM] OF
1-56 HONORABLY RETIRED OR DECEASED PEACE OFFICER OR FIRE FIGHTER

1-57 SECTION 3. Section 614.053, Government Code, is amended to
1-58 read as follows:

1-59 Sec. 614.053. PURCHASE PRICE OF FIREARM. A state or local
1-60 governmental agency shall establish the amount, which may not
1-61 exceed fair market value, for which a firearm or other item may be
1-62 purchased under this subchapter.

1-63 SECTION 4. This Act takes effect September 1, 2003.

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