

By: Callegari

H.B. No. 2163

A BILL TO BE ENTITLED

AN ACT

relating to the use by an active peace officer of the officer's rank or status to advertise or promote certain private businesses.

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

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

SUBCHAPTER H. PRIVATE COMMERCIAL USE OF RANK OR STATUS

AS PEACE OFFICER

Sec. 614.151. DEFINITION. In this subchapter, "peace officer" means an individual elected, appointed, or employed to serve as a peace officer for a governmental entity under Article 2.12, Code of Criminal Procedure.

Sec. 614.152. USE OF RANK OR STATUS AS PEACE OFFICER TO ADVERTISE OR PROMOTE PRIVATE BUSINESS PROHIBITED. (a) An active peace officer may not use the peace officer's rank or status as a peace officer to advertise or otherwise promote a private business in which the peace officer has an ownership interest or of which the peace officer is a manager.

(b) A peace officer who violates this section is subject to disciplinary action by the Commission on Law Enforcement Officer Standards and Education under Subchapter K, Chapter 1701, Occupations Code. For purposes of Section 1701.501, Occupations Code, a violation of this section is considered a violation of Chapter 1701, Occupations Code.

1 SECTION 2. This Act takes effect September 1, 2005.