

BILL ANALYSIS

H.B. 488
By: Driver
Law Enforcement
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Currently, the enabling statute of the Texas Commission on Law Enforcement Officer Standards and Education (TCLEOSE) contains sections 1701.302 and 1701.501 of the Occupations Code, which are in conflict.

Section 1701.302, Occupations Code, states that the commission shall establish requirements for issuing the license and revocation, suspension, or denial of the license while Section 1701.501, Occupations Code, states that the commission may establish procedures for the revocation of a license issued under this chapter, other than a license issued to another officer elected under the Texas Constitution.

H.B. 488 would clarify the Occupations Code by authorizing TCLEOSE to revoke the license of an officer elected under the Texas Constitution only if the officer is convicted of a felony or a criminal offense directly involving the person's duties as an officer.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

H.B. 488 amends Section 1701, Occupations Code, by authorizing the Texas Commission on Law Enforcement Officer Standards and Education to revoke a license issued under this chapter to an officer elected under the Texas Constitution, only if the officer is convicted of a felony or a criminal offense directly involving the person's duties as an officer.

The change in law made by this Act applies only to an officer elected under the Texas Constitution who is convicted of a felony or criminal offense that is committed on or after the effective date of this Act.

The bill also makes conforming changes to Section 1701.501, Occupations Code.

EFFECTIVE DATE

September 1, 2007.