

By: Madden

H.B. No. 434

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the appointment of certain employees of the Texas
3 Department of Criminal Justice as peace officers for certain
4 purposes.

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

6 SECTION 1. Article 2.12, Code of Criminal Procedure, is
7 amended to read as follows:

8 Art. 2.12. WHO ARE PEACE OFFICERS. The following are peace
9 officers:

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

13 (2) constables, deputy constables, and those reserve
14 deputy constables who hold a permanent peace officer license issued
15 under Chapter 1701, Occupations Code;

16 (3) marshals or police officers of an incorporated
17 city, town, or village, and those reserve municipal police officers
18 who hold a permanent peace officer license issued under Chapter
19 1701, Occupations Code;

20 (4) rangers and officers commissioned by the Public
21 Safety Commission and the Director of the Department of Public
22 Safety;

23 (5) investigators of the district attorneys', criminal
24 district attorneys', and county attorneys' offices;

1 (6) law enforcement agents of the Texas Alcoholic
2 Beverage Commission;

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

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

7 (9) officers commissioned by the General Services
8 Commission;

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

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

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

18 (13) municipal park and recreational patrolmen and
19 security officers;

20 (14) security officers and investigators commissioned
21 as peace officers by the comptroller;

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

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

26 (17) investigators commissioned by the Texas State
27 Board of Medical Examiners;

1 (18) officers commissioned by the board of managers of
2 the Dallas County Hospital District, the Tarrant County Hospital
3 District, or the Bexar County Hospital District under Section
4 281.057, Health and Safety Code;

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

7 (20) investigators employed by the Texas Racing
8 Commission;

9 (21) officers commissioned under Chapter 554,
10 Occupations Code;

11 (22) officers commissioned by the governing body of a
12 metropolitan rapid transit authority under Section 451.108,
13 Transportation Code, or by a regional transportation authority
14 under Section 452.110, Transportation Code;

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

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

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

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

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

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

27 (29) apprehension specialists commissioned by the

1 Texas Youth Commission as officers under Section 61.0931, Human
2 Resources Code;

3 (30) officers appointed by the inspector general
4 [~~executive director~~] of the Texas Department of Criminal Justice
5 under Section 493.019, Government Code;

6 (31) investigators commissioned by the Commission on
7 Law Enforcement Officer Standards and Education under Section
8 1701.160, Occupations Code;

9 (32) commission investigators commissioned by the
10 Texas Commission on Private Security under Section 1702.061(f),
11 Occupations Code;

12 (33) the fire marshal and any officers, inspectors, or
13 investigators commissioned by an emergency services district under
14 Chapter 775, Health and Safety Code; and

15 (34) officers commissioned by the State Board of
16 Dental Examiners under Section 254.013, Occupations Code, subject
17 to the limitations imposed by that section.

18 SECTION 2. Section 493.019, Government Code, is amended to
19 read as follows:

20 Sec. 493.019. ENFORCEMENT OFFICERS. The inspector general
21 [~~executive director~~] may appoint employees who are certified by the
22 Commission on Law Enforcement Officer Standards and Education as
23 qualified to be peace officers to serve under the direction of the
24 inspector general [~~executive director~~] and assist the inspector
25 general [~~executive director~~] in performing the enforcement duties
26 of the department.

27 SECTION 3. This Act takes effect immediately if it receives

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1 a vote of two-thirds of all the members elected to each house, as
2 provided by Section 39, Article III, Texas Constitution. If this
3 Act does not receive the vote necessary for immediate effect, this
4 Act takes effect September 1, 2007.