

1-1 By: Madden (Senate Sponsor - Whitmire) H.B. No. 434  
1-2 (In the Senate - Received from the House May 3, 2007;  
1-3 May 7, 2007, read first time and referred to Committee on Criminal  
1-4 Justice; May 16, 2007, reported favorably by the following vote:  
1-5 Yeas 6, Nays 0; May 16, 2007, sent to printer.)

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

1-8 relating to the appointment of certain employees of the Texas  
1-9 Department of Criminal Justice as peace officers for certain  
1-10 purposes.

1-11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-12 SECTION 1. Article 2.12, Code of Criminal Procedure, is  
1-13 amended to read as follows:

1-14 Art. 2.12. WHO ARE PEACE OFFICERS. The following are peace  
1-15 officers:

1-16 (1) sheriffs, their deputies, and those reserve  
1-17 deputies who hold a permanent peace officer license issued under  
1-18 Chapter 1701, Occupations Code;

1-19 (2) constables, deputy constables, and those reserve  
1-20 deputy constables who hold a permanent peace officer license issued  
1-21 under Chapter 1701, Occupations Code;

1-22 (3) marshals or police officers of an incorporated  
1-23 city, town, or village, and those reserve municipal police officers  
1-24 who hold a permanent peace officer license issued under Chapter  
1-25 1701, Occupations Code;

1-26 (4) rangers and officers commissioned by the Public  
1-27 Safety Commission and the Director of the Department of Public  
1-28 Safety;

1-29 (5) investigators of the district attorneys', criminal  
1-30 district attorneys', and county attorneys' offices;

1-31 (6) law enforcement agents of the Texas Alcoholic  
1-32 Beverage Commission;

1-33 (7) each member of an arson investigating unit  
1-34 commissioned by a city, a county, or the state;

1-35 (8) officers commissioned under Section 37.081,  
1-36 Education Code, or Subchapter E, Chapter 51, Education Code;

1-37 (9) officers commissioned by the General Services  
1-38 Commission;

1-39 (10) law enforcement officers commissioned by the  
1-40 Parks and Wildlife Commission;

1-41 (11) airport police officers commissioned by a city  
1-42 with a population of more than 1.18 million that operates an airport  
1-43 that serves commercial air carriers;

1-44 (12) airport security personnel commissioned as peace  
1-45 officers by the governing body of any political subdivision of this  
1-46 state, other than a city described by Subdivision (11), that  
1-47 operates an airport that serves commercial air carriers;

1-48 (13) municipal park and recreational patrolmen and  
1-49 security officers;

1-50 (14) security officers and investigators commissioned  
1-51 as peace officers by the comptroller;

1-52 (15) officers commissioned by a water control and  
1-53 improvement district under Section 49.216, Water Code;

1-54 (16) officers commissioned by a board of trustees  
1-55 under Chapter 54, Transportation Code;

1-56 (17) investigators commissioned by the Texas State  
1-57 Board of Medical Examiners;

1-58 (18) officers commissioned by the board of managers of  
1-59 the Dallas County Hospital District, the Tarrant County Hospital  
1-60 District, or the Bexar County Hospital District under Section  
1-61 281.057, Health and Safety Code;

1-62 (19) county park rangers commissioned under  
1-63 Subchapter E, Chapter 351, Local Government Code;

1-64 (20) investigators employed by the Texas Racing

2-1 Commission;

2-2 (21) officers commissioned under Chapter 554,

2-3 Occupations Code;

2-4 (22) officers commissioned by the governing body of a

2-5 metropolitan rapid transit authority under Section 451.108,

2-6 Transportation Code, or by a regional transportation authority

2-7 under Section 452.110, Transportation Code;

2-8 (23) investigators commissioned by the attorney

2-9 general under Section 402.009, Government Code;

2-10 (24) security officers and investigators commissioned

2-11 as peace officers under Chapter 466, Government Code;

2-12 (25) an officer employed by the Texas Department of

2-13 Health under Section 431.2471, Health and Safety Code;

2-14 (26) officers appointed by an appellate court under

2-15 Subchapter F, Chapter 53, Government Code;

2-16 (27) officers commissioned by the state fire marshal

2-17 under Chapter 417, Government Code;

2-18 (28) an investigator commissioned by the commissioner

2-19 of insurance under Article 1.10D, Insurance Code;

2-20 (29) apprehension specialists commissioned by the

2-21 Texas Youth Commission as officers under Section 61.0931, Human

2-22 Resources Code;

2-23 (30) officers appointed by the inspector general

2-24 [~~executive director~~] of the Texas Department of Criminal Justice

2-25 under Section 493.019, Government Code;

2-26 (31) investigators commissioned by the Commission on

2-27 Law Enforcement Officer Standards and Education under Section

2-28 1701.160, Occupations Code;

2-29 (32) commission investigators commissioned by the

2-30 Texas Commission on Private Security under Section 1702.061(f),

2-31 Occupations Code;

2-32 (33) the fire marshal and any officers, inspectors, or

2-33 investigators commissioned by an emergency services district under

2-34 Chapter 775, Health and Safety Code; and

2-35 (34) officers commissioned by the State Board of

2-36 Dental Examiners under Section 254.013, Occupations Code, subject

2-37 to the limitations imposed by that section.

2-38 SECTION 2. Section 493.019, Government Code, is amended to

2-39 read as follows:

2-40 Sec. 493.019. ENFORCEMENT OFFICERS. The inspector general

2-41 [~~executive director~~] may appoint employees who are certified by the

2-42 Commission on Law Enforcement Officer Standards and Education as

2-43 qualified to be peace officers to serve under the direction of the

2-44 inspector general [~~executive director~~] and assist the inspector

2-45 general [~~executive director~~] in performing the enforcement duties

2-46 of the department.

2-47 SECTION 3. This Act takes effect immediately if it receives

2-48 a vote of two-thirds of all the members elected to each house, as

2-49 provided by Section 39, Article III, Texas Constitution. If this

2-50 Act does not receive the vote necessary for immediate effect, this

2-51 Act takes effect September 1, 2007.

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