

By: Deuell

S.B. No. 886

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to the authority of the Texas State Board of Podiatric  
3 Medical Examiners to commission a peace officer.

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

5 SECTION 1. Subchapter D, Chapter 202, Occupations Code, is  
6 amended by adding Section 202.164 to read as follows:

7 Sec. 202.164. PEACE OFFICERS. (a) The board may commission  
8 as a peace officer to enforce this chapter an employee who has been  
9 certified as qualified to be a peace officer by the Commission on  
10 Law Enforcement Officer Standards and Education.

11 (b) Except as provided by Subsection (c), an employee  
12 commissioned as a peace officer under this section has the powers,  
13 privileges, and immunities of a peace officer while carrying out  
14 duties as a peace officer under this chapter.

15 (c) An employee commissioned as a peace officer under this  
16 section:

17 (1) is not entitled to state benefits normally  
18 provided by the state to an employee who is a peace officer; and

19 (2) may not accept any off-duty employment as a peace  
20 officer.

21 SECTION 2. Article 2.12, Code of Criminal Procedure, is  
22 amended to read as follows:

23 Art. 2.12. WHO ARE PEACE OFFICERS. The following are peace  
24 officers:

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

4           (2) constables, deputy constables, and those reserve  
5 deputy constables who hold a permanent peace officer license issued  
6 under Chapter 1701, Occupations Code;

7           (3) marshals or police officers of an incorporated  
8 city, town, or village, and those reserve municipal police officers  
9 who hold a permanent peace officer license issued under Chapter  
10 1701, Occupations Code;

11           (4) rangers and officers commissioned by the Public  
12 Safety Commission and the Director of the Department of Public  
13 Safety;

14           (5) investigators of the district attorneys', criminal  
15 district attorneys', and county attorneys' offices;

16           (6) law enforcement agents of the Texas Alcoholic  
17 Beverage Commission;

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

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

22           (9) officers commissioned by the General Services  
23 Commission;

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

26           (11) airport police officers commissioned by a city  
27 with a population of more than 1.18 million that operates an airport

1 that serves commercial air carriers;

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

6 (13) municipal park and recreational patrolmen and  
7 security officers;

8 (14) security officers and investigators commissioned  
9 as peace officers by the comptroller;

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

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

14 (17) investigators commissioned by the Texas Medical  
15 [~~State~~] Board [~~of Medical Examiners~~];

16 (18) officers commissioned by the board of managers of  
17 the Dallas County Hospital District, the Tarrant County Hospital  
18 District, or the Bexar County Hospital District under Section  
19 281.057, Health and Safety Code;

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

22 (20) investigators employed by the Texas Racing  
23 Commission;

24 (21) officers commissioned under Chapter 554,  
25 Occupations Code;

26 (22) officers commissioned by the governing body of a  
27 metropolitan rapid transit authority under Section 451.108,

1 Transportation Code, or by a regional transportation authority  
2 under Section 452.110, Transportation Code;

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

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

7 (25) an officer employed by the [~~Texas~~]  
8 State Health Services under Section 431.2471, Health and Safety  
9 Code;

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

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

14 (28) an investigator commissioned by the commissioner  
15 of insurance under Section 701.104 [~~Article 1.10D~~], Insurance Code;

16 (29) apprehension specialists commissioned by the  
17 Texas Youth Commission as officers under Section 61.0931, Human  
18 Resources Code;

19 (30) officers appointed by the executive director of  
20 the Texas Department of Criminal Justice under Section 493.019,  
21 Government Code;

22 (31) investigators commissioned by the Commission on  
23 Law Enforcement Officer Standards and Education under Section  
24 1701.160, Occupations Code;

25 (32) commission investigators commissioned by the  
26 Texas [~~Commission on~~] Private Security Board under Section  
27 1702.061(f), Occupations Code;

1           (33) the fire marshal and any officers, inspectors, or  
2 investigators commissioned by an emergency services district under  
3 Chapter 775, Health and Safety Code; ~~and~~

4           (34) officers commissioned by the State Board of  
5 Dental Examiners under Section 254.013, Occupations Code, subject  
6 to the limitations imposed by that section; and

7           (35) officers commissioned by the Texas State Board of  
8 Podiatric Medical Examiners under Section 202.164, Occupations  
9 Code, subject to the limitations imposed by that section.

10           SECTION 3. This Act takes effect immediately if it receives  
11 a vote of two-thirds of all the members elected to each house, as  
12 provided by Section 39, Article III, Texas Constitution. If this  
13 Act does not receive the vote necessary for immediate effect, this  
14 Act takes effect September 1, 2007.