

By: Hegar

S.B. No. 950

A BILL TO BE ENTITLED

AN ACT

relating to an exemption from reactivation and continuing education requirements for certain honorably retired peace officers.

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

SECTION 1. The heading to Section 1701.356, Occupations Code, is amended to read as follows:

Sec. 1701.356. CERTAIN RETIRED DEPARTMENT OF PUBLIC SAFETY OFFICERS: REACTIVATION AND CONTINUING EDUCATION NOT REQUIRED.

SECTION 2. Subchapter H, Chapter 1701, Occupations Code, is amended by adding Section 1701.3561 to read as follows:

Sec. 1701.3561. CERTAIN RETIRED PEACE OFFICERS: REACTIVATION AND CONTINUING EDUCATION NOT REQUIRED. (a) In this section, "honorably retired peace officer" means a peace officer who:

(1) is not currently serving as an elected, appointed, or employed peace officer under Article 2.12, Code of Criminal Procedure, or other law;

(2) did not retire in lieu of any disciplinary action;

(3) was eligible to retire from a law enforcement agency in this state or was ineligible to retire only as a result of an injury received in the course of the officer's employment with the agency; and

(4) is eligible to receive a pension or annuity for service as a law enforcement officer in this state or is ineligible

1 to receive a pension or annuity only because the law enforcement
2 agency that employed the officer does not offer a pension or annuity
3 to its employees.

4 (b) Except as provided by Subsection (d), an honorably
5 retired peace officer may not be required to undergo training under
6 Section 1701.352(b).

7 (c) Except as provided by Subsection (d), an honorably
8 retired peace officer:

9 (1) has the same rights and privileges as any other
10 peace officer of this state;

11 (2) holds, notwithstanding Sections 1701.159 and
12 1701.316, an active license unless the license is revoked,
13 suspended, or probated by the commission for a violation of this
14 chapter; and

15 (3) is not subject to Section 1701.351 or any other
16 continuing education requirement imposed by law.

17 (d) An honorably retired peace officer who is subsequently
18 elected, appointed, or employed to serve as a peace officer under
19 Article 2.12, Code of Criminal Procedure, or other law must:

20 (1) complete the continuing education requirements
21 provided by Section 1701.351 and any other continuing education
22 requirement imposed by law; and

23 (2) demonstrate weapons proficiency as required by
24 Section 1701.355.

25 SECTION 3. This Act takes effect immediately if it receives
26 a vote of two-thirds of all the members elected to each house, as
27 provided by Section 39, Article III, Texas Constitution. If this

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- 1 Act does not receive the vote necessary for immediate effect, this
- 2 Act takes effect September 1, 2007.