

By: Ogden

S.B. No. 1722

A BILL TO BE ENTITLED

AN ACT

relating to physical fitness and appearance standards for certain state law enforcement officers.

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

SECTION 1. Chapter 614, Government Code, is amended by adding Subchapter H to read as follows:

SUBCHAPTER H. STANDARDS FOR CERTAIN LAW ENFORCEMENT OFFICERS

Sec. 614.151. DEFINITIONS. In this subchapter:

(1) "Law enforcement agency" means the Department of Public Safety, Texas Alcoholic Beverage Commission, Texas Department of Criminal Justice, and Parks and Wildlife Department.

(2) "Law enforcement officer" means a person who:

(A) is a commissioned peace officer;

(B) is employed by a law enforcement agency; and

(C) is compensated according to Schedule C of the position classification salary schedule prescribed by the General Appropriations Act.

Sec. 614.152. PHYSICAL FITNESS AND APPEARANCE STANDARDS.

(a) Out of appropriated funds, each law enforcement agency shall adopt physical fitness and appearance standards that a law enforcement officer must meet to continue employment with the agency as a law enforcement officer. The standards adopted by a law enforcement agency other than the Department of Public Safety must be at least as stringent as the standards adopted by the Department

1 of Public Safety. Except as provided by Subsection (b), a violation
2 of a standard adopted under this subsection is just cause to
3 discharge an officer or transfer an officer to a position that is
4 not compensated according to Schedule C of the position
5 classification salary schedule prescribed by the General
6 Appropriations Act.

7 (b) A law enforcement agency may exempt a law enforcement
8 officer from a standard under Subsection (a) based on the facts and
9 circumstances of the individual case, including whether an officer
10 was injured in the line of duty.

11 SECTION 2. Not later than November 1, 2007, the Department
12 of Public Safety of the State of Texas, the Texas Alcoholic Beverage
13 Commission, and the Parks and Wildlife Department shall each adopt
14 the standards required by Section 614.152, Government Code, as
15 added by this Act.

16 SECTION 3. This Act takes effect September 1, 2007.