

1-1 By: Ogden S.B. No. 1722
1-2 (In the Senate - Filed March 9, 2007; March 21, 2007, read
1-3 first time and referred to Committee on Criminal Justice;
1-4 April 10, 2007, reported adversely, with favorable Committee
1-5 Substitute by the following vote: Yeas 5, Nays 0; April 10, 2007,
1-6 sent to printer.)

1-7 COMMITTEE SUBSTITUTE FOR S.B. No. 1722 By: Whitmire

1-8 A BILL TO BE ENTITLED
1-9 AN ACT

1-10 relating to physical fitness and appearance standards for certain
1-11 state law enforcement officers.

1-12 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-13 SECTION 1. Chapter 614, Government Code, is amended by
1-14 adding Subchapter H to read as follows:

1-15 SUBCHAPTER H. STANDARDS FOR CERTAIN LAW ENFORCEMENT OFFICERS

1-16 Sec. 614.151. DEFINITIONS. In this subchapter:

1-17 (1) "Law enforcement agency" means the Department of
1-18 Public Safety, Texas Alcoholic Beverage Commission, Texas
1-19 Department of Criminal Justice, and Parks and Wildlife Department.

1-20 (2) "Law enforcement officer" means a person who:

1-21 (A) is a commissioned peace officer;

1-22 (B) is employed by a law enforcement agency; and

1-23 (C) is compensated according to Schedule C of the

1-24 position classification salary schedule prescribed by the General
1-25 Appropriations Act.

1-26 Sec. 614.152. PHYSICAL FITNESS AND APPEARANCE STANDARDS.

1-27 (a) Out of appropriated funds, each law enforcement agency shall
1-28 adopt physical fitness and appearance standards that a law
1-29 enforcement officer must meet to continue employment with the
1-30 agency as a law enforcement officer. The standards adopted by a law
1-31 enforcement agency other than the Department of Public Safety must
1-32 be at least as stringent as the standards adopted by the Department
1-33 of Public Safety. Except as provided by Subsection (b), a violation
1-34 of a standard adopted under this subsection is just cause to
1-35 discharge an officer or transfer an officer to a position that is
1-36 not compensated according to Schedule C of the position
1-37 classification salary schedule prescribed by the General
1-38 Appropriations Act.

1-39 (b) A law enforcement agency may exempt a law enforcement
1-40 officer from a standard under Subsection (a) based on the facts and
1-41 circumstances of the individual case, including whether an officer
1-42 was injured in the line of duty.

1-43 SECTION 2. Not later than November 1, 2007, the Department
1-44 of Public Safety of the State of Texas, the Texas Alcoholic Beverage
1-45 Commission, and the Parks and Wildlife Department shall each adopt
1-46 the standards required by Section 614.152, Government Code, as
1-47 added by this Act.

1-48 SECTION 3. This Act takes effect September 1, 2007.

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