

## **BILL ANALYSIS**

H.B. 2068  
By: Elkins  
Public Safety  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

In 2005, the 79th Legislature, Regular Session, enacted S.B. 578 to allow an honorably retired Texas peace officer to continue to carry a handgun in a similar manner to active Texas peace officers. This right has been extended to officers of the Department of Public Safety for the last several years and, in recent years, the U.S. Congress passed a similar law that grants both active and retired peace officers the right to carry a weapon during interstate travel. The Texas law and the federal law require that the retired officer must possess an identification card which clearly states that the officer is honorably retired.

In a few cases, officers who elect to retire after serving not less than 20 years of service have been denied an ID card that states they are honorably retired by the head of the law enforcement authority under which the officer served, i.e. the chief of police, sheriff, or constable. Some officers were denied an ID card simply because the officer may have supported the opponent of an elected sheriff or constable. There have been instances in which a police chief simply stated that they do not issue ID cards to retired officers. In order to correct these inequities it is necessary to change the language in current law to require rather than authorize the issuance of ID cards to honor Texas peace officers who have served honorably in law enforcement for many years and who elect to retire.

H.B. 2068 amends the Occupations Code to require, rather than authorize, the head of a state or local law enforcement agency to issue to an honorably retired officer identification that indicates that the officer is honorably retired.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

### **ANALYSIS**

H.B. 2068 amends the Occupations Code to require, rather than authorize, the head of a state or local law enforcement agency to issue to an honorably retired officer, rather than to any retired officer, identification that indicates that the officer honorably retired from the agency, on the request of the officer.

### **EFFECTIVE DATE**

On passage, or, if the act does not receive the necessary vote, the act takes effect September 1, 2009.