

## **BILL ANALYSIS**

H.B. 3786  
By: Rodriguez  
Public Safety  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

Currently, the Texas Department of Transportation (TxDOT) permits roadside memorials for Department of Public Safety troopers killed in the line of duty. The marker is placed on state right-of-way near the location where the trooper was slain. The markers are paid for and erected at private expense, with no cost to the state. The handsome granite markers contain biographical information about the trooper and information about the incident that resulted in the trooper's loss of life. The use of state highway right-of-way is controlled by TxDOT policy, therefore a change in law is required to direct the inclusion of all peace officers killed in the line of duty. This change in TxDOT policy allows the markers to serve as permanent reminders of all the officers who have made the ultimate sacrifice to serve the people of Texas.

H.B. 3786 requires the Texas Transportation Commission to permit roadside memorials to be placed at or near the site where a Texas police officer has been killed in the line of duty. The bill provides that the peace officer memorials will be paid for and erected at private expense with no cost to the state in the same manner as Department of Public Safety trooper memorials.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that rulemaking authority is expressly granted to the Texas Transportation Commission in SECTION 1 of this bill.

### **ANALYSIS**

H.B. 3786 amends the Transportation Code to require the Texas Transportation Commission by rule to authorize memorial markers honoring peace officers killed in the line of duty who are not Department of Public Safety troopers. The bill requires the program for memorial markers honoring those peace officers to be identical to the commission's existing program for memorial markers honoring DPS troopers. The bill defines "peace officer" for purposes of the memorial markers.

### **EFFECTIVE DATE**

September 1, 2009.