

## **BILL ANALYSIS**

S.B. 2028  
By: Watson  
Public Safety  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

Currently, the Texas Transportation Commission and the Texas Department of Transportation (TxDOT) permit roadside memorials for Department of Public Safety (DPS) troopers killed in the line of duty. The marker is placed on the state highway right-of-way near the location where the DPS trooper was slain. The markers do not cost the state any money; they are paid for and erected at private expense. The handsome granite markers contain biographical information about the trooper and information about the incident that resulted in the trooper's loss of life. Other law enforcement officers killed on state highways in the line of duty do not receive such recognition. Because the use of state highway rights-of-way is controlled by the commission and TxDOT policy, a change in law to direct the inclusion of all peace officers killed in the line of duty is necessary.

S.B. 2028 requires the Texas Transportation Commission by rule to authorize memorial markers honoring peace officers killed in the line of duty who are not DPS troopers.

### **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**

S.B. 2028 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 (DPS) 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.