

By: Phillips

H.B. No. 2989

A BILL TO BE ENTITLED

AN ACT

relating to the reactivation of a peace officer license for certain peace officers.

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

SECTION 1. Section 1701.3161, Occupations Code, is amended to read as follows:

Sec. 1701.3161. REACTIVATION OF PEACE OFFICER LICENSE: RETIRED PEACE OFFICERS AND HOLDERS OF CERTAIN PROFICIENCY CERTIFICATES. (a) In this section, "retired peace officer" means

a person who served as a peace officer in this state who:

(1) is not currently serving as an elected, appointed, or employed peace officer under Article 2.12, Code of Criminal Procedure, or other law;

(2) was eligible to retire from a law enforcement agency in this state or was ineligible to retire only as a result of an injury received in the course of the officer's employment with the law enforcement agency; and

(3) is eligible to receive a pension or annuity for service as a law enforcement officer in this state or is ineligible to receive a pension or annuity only because the law enforcement agency that employed the officer does not offer a pension or annuity to its employees.

(b) The commission shall adopt rules for the reactivation after a break in employment of the [~~a retired peace officer's~~]

1 license of a retired peace officer or of a person previously  
2 licensed as a peace officer who holds an advanced proficiency  
3 certificate under Section 1701.402 [~~after a break in employment~~].  
4 The rules must allow a retired peace officer or a person previously  
5 licensed as a peace officer who holds an advanced proficiency  
6 certificate to reactivate the officer's license by completing the  
7 continuing education requirements prescribed by Section 1701.351  
8 and completing any other continuing education requirement imposed  
9 by law in lieu of successfully completing any examination required  
10 by the commission for reactivation.

11 (c) The commission may waive the reinstatement fee  
12 established for the reactivation of a peace officer's license for a  
13 retired peace officer or a person previously licensed as a peace  
14 officer who holds an advanced proficiency certificate under Section  
15 1701.402 who is eligible for reactivation as provided by Subsection  
16 (b).

17 (d) Notwithstanding Subsection (b), a person previously  
18 licensed as a peace officer who holds an advanced proficiency  
19 certificate under Section 1701.402 is ineligible for reactivation  
20 of a peace officer license under this section if the person's peace  
21 officer license was previously revoked.

22 SECTION 2. This Act takes effect September 1, 2009.