

By: Whitmire

S.B. No. 1210

A BILL TO BE ENTITLED

1 AN ACT  
2 relating to the issuance of identification cards to certain peace  
3 officers and honorably retired peace officers.

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

5 SECTION 1. Section 614.121(1), Government Code, as added by  
6 Chapter 938 (H.B. 3613), Acts of the 80th Legislature, Regular  
7 Session, 2007, is amended to read as follows:

8 (1) "Peace [~~Full-time peace~~] officer" means a person  
9 elected, employed, or appointed as a peace officer under Article  
10 2.12, Code of Criminal Procedure, or other law~~[7]~~ who holds a  
11 license issued under Chapter 1701, Occupations Code~~+~~

12 [~~(A) works as a peace officer on average at least~~  
13 ~~32 hours per week, exclusive of paid vacation, and~~

14 [~~(B) is compensated by this state or a political~~  
15 ~~subdivision of this state at least at the federal minimum wage and~~  
16 ~~is entitled to all employee benefits offered to a peace officer by~~  
17 ~~the state or political subdivision].~~

18 SECTION 2. Sections 614.122(a) and (c), Government Code, as  
19 added by Chapter 938 (H.B. 3613), Acts of the 80th Legislature,  
20 Regular Session, 2007, are amended to read as follows:

21 (a) The law enforcement agency or other governmental entity  
22 that appoints or employs a peace officer shall issue an  
23 identification card to its sworn [~~full-time or part-time~~] peace  
24 officers.

1 (c) On the identification card, the law enforcement agency  
2 or other governmental entity that issues the card shall print:

3 (1) "State of Texas" and the state seal; and

4 (2) "This identification card certifies that (insert  
5 name of peace officer) is commissioned by (insert name of law  
6 enforcement agency or other governmental entity that appoints or  
7 employs the peace officer) as a sworn peace officer [~~insert~~  
8 ~~"full-time peace officer" or "part-time peace officer"~~]."

9 SECTION 3. Sections 614.124(a) and (d), Government Code, as  
10 added by Chapter 938 (H.B. 3613), Acts of the 80th Legislature,  
11 Regular Session, 2007, are amended to read as follows:

12 (a) The law enforcement agency or other governmental entity  
13 that was the last entity to appoint or employ an honorably retired  
14 peace officer as a peace officer shall [~~may~~] issue an  
15 identification card to its honorably retired peace officers.

16 (d) The head of a law enforcement agency or other  
17 governmental entity that issued the identification card shall  
18 recover the identification card on the date the identification card  
19 expires, unless the identification card is issued without an  
20 expiration date.

21 SECTION 4. Sections 614.125 and 614.127, Government Code,  
22 as added by Chapter 938 (H.B. 3613), Acts of the 80th Legislature,  
23 Regular Session, 2007, are amended to read as follows:

24 Sec. 614.125. EXPIRATION DATE. (a) An identification card  
25 issued under this subchapter expires on a date specified by the law  
26 enforcement agency or other governmental entity issuing the card.

27 (b) A law enforcement agency or other governmental entity

1 may issue under Section 614.124 an identification card without an  
2 expiration date to an honorably retired peace officer.

3       Sec. 614.127. LOST OR STOLEN CARDS. If an identification  
4 card issued under this subchapter is lost or stolen, the law  
5 enforcement agency or other governmental entity issuing the card  
6 may:

7           (1) require a peace officer[~~, reserve law enforcement~~  
8 ~~officer,~~] or honorably retired peace officer to submit an affidavit  
9 executed by the peace officer[~~, reserve law enforcement officer,~~]  
10 or honorably retired peace officer to the law enforcement agency or  
11 other governmental entity issuing the card stating that the  
12 identification card was lost or stolen; and

13           (2) issue a duplicate identification card to the peace  
14 officer[~~, reserve law enforcement officer,~~] or honorably retired  
15 peace officer.

16       SECTION 5. (a) The following provisions of the Government  
17 Code are repealed:

18           (1) Sections 614.121(3) and (4), as added by Chapter  
19 938 (H.B. 3613), Acts of the 80th Legislature, Regular Session,  
20 2007; and

21           (2) Section 614.123, as added by Chapter 938 (H.B.  
22 3613), Acts of the 80th Legislature, Regular Session, 2007.

23       (b) Subchapter H, Chapter 614, Government Code, as added by  
24 Chapter 1187 (H.B. 638), Acts of the 80th Legislature, Regular  
25 Session, 2007, is repealed.

26       SECTION 6. This Act takes effect September 1, 2011.