

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 82ND LEGISLATIVE REGULAR SESSION**

**May 28, 2011**

**TO:** Honorable David Dewhurst, Lieutenant Governor, Senate  
Honorable Joe Straus, Speaker of the House, House of Representatives

**FROM:** John S O'Brien, Director, Legislative Budget Board

**IN RE: HB242** by Craddick (Relating to the enforcement of public safety, including the privileges and duties of certain types of law enforcement officers.), **Conference Committee Report**

<p><b>No significant fiscal implication to the State is anticipated.</b></p>
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The bill would amend the Occupations Code to authorize the head of a state or local law enforcement agency to allow an honorably retired peace officer and certain former reserve law enforcement officers an opportunity to demonstrate weapons proficiency if the retired officer provides an affidavit stating that the officer separated employment prior to completing 15 years of service as a commissioned officer with one or more state or local law enforcement agencies and is a qualified retired law enforcement officer, as defined by 18 U.S.C. Section 926C. The bill would amend the Government Code to permit the Department of Public Safety (DPS) to issue a concealed handgun license to certain former reserve law enforcement officers according to guidelines in the bill. The bill would amend the Penal Code to authorize qualified retired peace officers and certain former reserve law enforcement officers to carry certain firearms with photo identification issued by a federal, state or local law enforcement agency.

The bill would amend the Government Code to create a Class B Misdemeanor for the offense of reckless driving if the offense results in serious bodily injury or death of an operator or passenger of another motor vehicle.

The bill would permit the Public Safety Commission of DPS to call special rangers and special Texas Rangers into service under certain criteria.

The bill would amend Section 545.425 of the Transportation Code to create an offense for using textbased communications while operating a vehicle with exceptions for certain criteria outlined in the bill. The bill would add the definition of "text-based communications" as a text message, an instant message, and an e-mail.

The bill would take effect September 1, 2011.

**Local Government Impact**

No significant fiscal implication to units of local government is anticipated.

**Source Agencies:** 405 Department of Public Safety

**LBB Staff:** JOB, ESi, TP, LM