

By: Geren

H.B. No. 2253

A BILL TO BE ENTITLED

1 AN ACT
2 relating to compensation and benefits for commissioned peace
3 officers employed by the attorney general.

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

5 SECTION 1. Section 402.009, Government Code, is amended to
6 read as follows:

7 Sec. 402.009. AUTHORITY TO EMPLOY AND COMMISSION PEACE
8 OFFICERS. (a) The attorney general may employ and commission peace
9 officers as investigators for the limited purpose of assisting the
10 attorney general in carrying out the duties of that office relating
11 to prosecution assistance and crime prevention.

12 (b) The attorney general shall ensure that an investigator
13 employed as authorized under Subsection (a) is compensated
14 according to Schedule C of the position classification salary
15 schedule prescribed by the General Appropriations Act.

16 SECTION 2. Section 659.301(5), Government Code, is amended
17 to read as follows:

18 (5) "State employee" means an individual who:
19 (A) is a commissioned law enforcement officer of
20 the Department of Public Safety, the Texas Facilities Commission,
21 the Texas Alcoholic Beverage Commission, ~~[or]~~ the Texas Department
22 of Criminal Justice, or the attorney general;

23 (B) is a commissioned security officer of the
24 comptroller;

1 (C) is a law enforcement officer commissioned by
2 the Parks and Wildlife Commission;

3 (D) is a commissioned peace officer of an
4 institution of higher education;

5 (E) is an employee or official of the Board of
6 Pardons and Paroles or the parole division of the Texas Department
7 of Criminal Justice if the employee or official has routine direct
8 contact with inmates of any penal or correctional institution or
9 with administratively released prisoners subject to the board's
10 jurisdiction;

11 (F) has been certified to the Employees
12 Retirement System of Texas under Section 815.505 as having begun
13 employment as a law enforcement officer or custodial officer,
14 unless the individual has been certified to the system as having
15 ceased employment as a law enforcement officer or custodial
16 officer; or

17 (G) before May 29, 1987, received hazardous duty
18 pay based on the terms of any state law if the individual holds a
19 position designated under that law as eligible for the pay.

20 SECTION 3. Section 811.001(9), Government Code, is amended
21 to read as follows:

22 (9) "Law enforcement officer" means a member of the
23 retirement system who:

24 (A) has been commissioned as a law enforcement
25 officer by the Department of Public Safety, the Texas Alcoholic
26 Beverage Commission, the Parks and Wildlife Department, [~~or~~] the
27 office of inspector general at the Texas Youth Commission, or the

1 attorney general; and

2 (B) is recognized as a commissioned law
3 enforcement officer by the Commission on Law Enforcement Officer
4 Standards and Education.

5 SECTION 4. Section 814.104(b), Government Code, is amended
6 to read as follows:

7 (b) A member who is at least 55 years old and who has at
8 least 10 years of service credit as a commissioned peace officer
9 engaged in criminal law enforcement activities of the Department of
10 Public Safety, the Texas Alcoholic Beverage Commission, the Parks
11 and Wildlife Department, ~~or~~ the office of inspector general at
12 the Texas Youth Commission, or the attorney general, or as a
13 custodial officer, is eligible to retire and receive a service
14 retirement annuity.

15 SECTION 5. Section 814.1075(b), Government Code, is amended
16 to read as follows:

17 (b) A member who has at least 20 years of service credit as a
18 law enforcement or custodial officer, including any law enforcement
19 officer as defined by Section 811.001(9), is eligible to retire
20 regardless of age and receive a standard service retirement annuity
21 as provided by this section.

22 SECTION 6. Section 815.505, Government Code, is amended to
23 read as follows:

24 Sec. 815.505. CERTIFICATION OF NAMES OF LAW ENFORCEMENT AND
25 CUSTODIAL OFFICERS. Not later than the 12th day of the month
26 following the month in which a person begins or ceases employment as
27 a law enforcement officer or custodial officer, the Public Safety

1 Commission, the Texas Alcoholic Beverage Commission, the Parks and
2 Wildlife Commission, the office of inspector general at the Texas
3 Youth Commission, the Board of Pardons and Paroles, the attorney
4 general, or the Texas Board of Criminal Justice, as applicable,
5 shall certify to the retirement system, in the manner prescribed by
6 the system, the name of the employee and such other information as
7 the system determines is necessary for the crediting of service and
8 financing of benefits under this subtitle.

9 SECTION 7. (a) The attorney general shall begin making
10 deductions and collecting the contributions for the law enforcement
11 and custodial officer supplemental retirement fund as provided by
12 Section 815.402(h), Government Code, beginning with the first pay
13 period that occurs after December 31, 2013.

14 (b) The board of trustees of the Employees Retirement System
15 of Texas shall adopt rules as soon as possible after the effective
16 date of this Act to implement Section 814.1075, Government Code, as
17 amended by this Act.

18 SECTION 8. This Act takes effect September 1, 2013.