

By: Fletcher

H.B. No. 1270

A BILL TO BE ENTITLED

AN ACT

relating to the authority of the Department of Agriculture to employ and commission peace officers as investigators.

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

SECTION 1. Chapter 12, Agriculture Code, is amended by adding Section 12.0131 to read as follows:

Sec. 12.0131. EMPLOYMENT OF PEACE OFFICERS. The department may employ and commission peace officers as investigators to assist the department in performing its duties.

SECTION 2. Article 2.12, Code of Criminal Procedure, is amended to read as follows:

Art. 2.12. WHO ARE PEACE OFFICERS. The following are peace officers:

(1) sheriffs, their deputies, and those reserve deputies who hold a permanent peace officer license issued under Chapter 1701, Occupations Code;

(2) constables, deputy constables, and those reserve deputy constables who hold a permanent peace officer license issued under Chapter 1701, Occupations Code;

(3) marshals or police officers of an incorporated city, town, or village, and those reserve municipal police officers who hold a permanent peace officer license issued under Chapter 1701, Occupations Code;

(4) rangers and officers commissioned by the Public

1 Safety Commission and the Director of the Department of Public
2 Safety;

3 (5) investigators of the district attorneys', criminal
4 district attorneys', and county attorneys' offices;

5 (6) law enforcement agents of the Texas Alcoholic
6 Beverage Commission;

7 (7) each member of an arson investigating unit
8 commissioned by a city, a county, or the state;

9 (8) officers commissioned under Section [37.081](#),
10 Education Code, or Subchapter E, Chapter 51, Education Code;

11 (9) officers commissioned by the General Services
12 Commission;

13 (10) law enforcement officers commissioned by the
14 Parks and Wildlife Commission;

15 (11) airport police officers commissioned by a city
16 with a population of more than 1.18 million located primarily in a
17 county with a population of 2 million or more that operates an
18 airport that serves commercial air carriers;

19 (12) airport security personnel commissioned as peace
20 officers by the governing body of any political subdivision of this
21 state, other than a city described by Subdivision (11), that
22 operates an airport that serves commercial air carriers;

23 (13) municipal park and recreational patrolmen and
24 security officers;

25 (14) security officers and investigators commissioned
26 as peace officers by the comptroller;

27 (15) officers commissioned by a water control and

1 improvement district under Section 49.216, Water Code;

2 (16) officers commissioned by a board of trustees
3 under Chapter 54, Transportation Code;

4 (17) investigators commissioned by the Texas Medical
5 Board;

6 (18) officers commissioned by:

7 (A) the board of managers of the Dallas County
8 Hospital District, the Tarrant County Hospital District, the Bexar
9 County Hospital District, or the El Paso County Hospital District
10 under Section 281.057, Health and Safety Code;

11 (B) the board of directors of the Ector County
12 Hospital District under Section 1024.117, Special District Local
13 Laws Code; and

14 (C) the board of directors of the Midland County
15 Hospital District of Midland County, Texas, under Section 1061.121,
16 Special District Local Laws Code;

17 (19) county park rangers commissioned under
18 Subchapter E, Chapter 351, Local Government Code;

19 (20) investigators employed by the Texas Racing
20 Commission;

21 (21) officers commissioned under Chapter 554,
22 Occupations Code;

23 (22) officers commissioned by the governing body of a
24 metropolitan rapid transit authority under Section 451.108,
25 Transportation Code, or by a regional transportation authority
26 under Section 452.110, Transportation Code;

27 (23) investigators commissioned by the attorney

1 general under Section 402.009, Government Code;

2 (24) security officers and investigators commissioned
3 as peace officers under Chapter 466, Government Code;

4 (25) an officer employed by the Department of State
5 Health Services under Section 431.2471, Health and Safety Code;

6 (26) officers appointed by an appellate court under
7 Subchapter F, Chapter 53, Government Code;

8 (27) officers commissioned by the state fire marshal
9 under Chapter 417, Government Code;

10 (28) an investigator commissioned by the commissioner
11 of insurance under Section 701.104, Insurance Code;

12 (29) apprehension specialists and inspectors general
13 commissioned by the Texas Juvenile Justice Department as officers
14 under Sections 242.102 and 243.052, Human Resources Code;

15 (30) officers appointed by the inspector general of
16 the Texas Department of Criminal Justice under Section 493.019,
17 Government Code;

18 (31) investigators commissioned by the Texas
19 Commission on Law Enforcement under Section 1701.160, Occupations
20 Code;

21 (32) ~~[commission investigators commissioned by the~~
22 ~~Texas Private Security Board under Section 1702.061(f),~~
23 ~~Occupations Code,~~

24 ~~[(33)]~~ the fire marshal and any officers, inspectors,
25 or investigators commissioned by an emergency services district
26 under Chapter 775, Health and Safety Code;

27 (33) ~~[(34)]~~ officers commissioned by the State Board

1 of Dental Examiners under Section 254.013, Occupations Code,
2 subject to the limitations imposed by that section;

3 (34) [~~(35)~~] investigators commissioned by the Texas
4 Juvenile Justice Department as officers under Section 221.011,
5 Human Resources Code; [~~and~~]

6 (35) [~~(36)~~] the fire marshal and any related officers,
7 inspectors, or investigators commissioned by a county under
8 Subchapter B, Chapter 352, Local Government Code; and

9 (36) investigators commissioned by the Department of
10 Agriculture under Section 12.0131, Agriculture Code.

11 SECTION 3. This Act takes effect immediately if it receives
12 a vote of two-thirds of all the members elected to each house, as
13 provided by Section 39, Article III, Texas Constitution. If this
14 Act does not receive the vote necessary for immediate effect, this
15 Act takes effect September 1, 2015.