

By: Wray

H.B. No. 1189

A BILL TO BE ENTITLED

AN ACT

relating to certain prohibited acts by reserve law enforcement officers.

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

SECTION 1. Chapter 2, Code of Criminal Procedure, is amended by adding Article 2.32 to read as follows:

Art. 2.32. PROHIBITED ACTS BY RESERVE LAW ENFORCEMENT OFFICERS. (a) In this section:

(1) "Private patrol vehicle" means a privately owned motor vehicle that is:

(A) marked with the word "police," "sheriff," or "constable"; or

(B) equipped with a red, white, or blue beacon, flashing, or alternating light.

(2) "Reserve law enforcement officer" has the meaning assigned by Section 1701.001, Occupations Code.

(b) A reserve law enforcement officer may not, for compensation from a private business, use or operate a private patrol vehicle, direct traffic on a public highway, or provide motor vehicle escort services:

(1) outside the jurisdiction in which the reserve officer is appointed or employed; or

(2) inside the jurisdiction in which the reserve officer is appointed or employed, unless the reserve officer

1 receives permission from the reserve officer's appointing law
2 enforcement agency.

3 SECTION 2. Section 1701.501(a), Occupations Code, is
4 amended to read as follows:

5 (a) Except as provided by Subsection (d), the commission
6 shall revoke or suspend a license, place on probation a person whose
7 license has been suspended, or reprimand a license holder for a
8 violation of:

9 (1) this chapter;

10 (2) the reporting requirements provided by Articles
11 2.132 and 2.134, Code of Criminal Procedure; ~~or~~

12 (3) Article 2.32, Code of Criminal Procedure; or

13 (4) a commission rule.

14 SECTION 3. Section 1702.130, Occupations Code, is amended
15 by adding Subsection (a-1) to read as follows:

16 (a-1) While performing duties as a commissioned or
17 noncommissioned security officer, a reserve law enforcement
18 officer, as defined by Section 1701.001, may not:

19 (1) wear the official uniform of the reserve officer's
20 appointing law enforcement agency; or

21 (2) use any title, insignia, or identification card or
22 make any statement with the intent to give an impression that the
23 officer is a law enforcement officer.

24 SECTION 4. This Act takes effect September 1, 2017.