

AN ACT

relating to the Texas Peace Officers' Memorial Monument and Ceremony.

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

SECTION 1. The heading to Chapter 3105, Government Code, is amended to read as follows:

CHAPTER 3105. TEXAS PEACE OFFICERS' MEMORIAL MONUMENT AND CEREMONY

SECTION 2. Section 3105.002, Government Code, is amended by adding Subdivision (2-a) to read as follows:

(2-a) "Committee" means the Texas Peace Officers' Memorial Ceremony Committee.

SECTION 3. Section 3105.003, Government Code, is amended to read as follows:

Sec. 3105.003. ELIGIBILITY FOR MONUMENT. (a) A person is eligible to have the person's name on the monument if the person was killed in the line of duty and was:

(1) a law enforcement officer or peace officer for this state or a political subdivision of this state under Article 2.12, Code of Criminal Procedure, or other law;

(2) a federal law enforcement officer or special agent performing duties in this state, including those officers under Article 2.122, Code of Criminal Procedure; or

(3) a corrections or detention officer or county or municipal jailer employed or appointed by a municipal, county, or

1 state penal institution in this state.

2 (b) A person described by Subsection (a) is presumed to have  
3 been killed in the line of duty if the Employees Retirement System  
4 of Texas makes payments and provides benefits to the eligible  
5 survivors of the person as provided by Chapter 615.

6 SECTION 4. Chapter 3105, Government Code, is amended by  
7 adding Section 3105.0035 to read as follows:

8 Sec. 3105.0035. NOMINATIONS; ADDITION OF NAMES TO MONUMENT.

9 (a) A peace officer, law enforcement agency, independent  
10 researcher, or organization that advocates on behalf of the  
11 survivors of persons described by Section 3105.003 may submit to  
12 the commission a nomination to have a person's name added to the  
13 monument.

14 (b) The executive director of the commission shall make a  
15 preliminary recommendation to the commission on whether a person  
16 nominated under Subsection (a) is eligible under Section 3105.003.

17 (c) The commission shall place each nomination, including  
18 the executive director's preliminary recommendation, on the agenda  
19 of a scheduled meeting of the commission for consideration by the  
20 commission. The commission shall allow public testimony and  
21 consider any evidence presented regarding the eligibility of the  
22 person nominated. After hearing testimony and considering  
23 evidence, the commission shall determine by a public vote whether  
24 the person meets the eligibility requirements under Section  
25 3105.003.

26 (d) The commission shall add a person's name to the monument  
27 if the commission determines that the person meets the eligibility

1 requirements.

2 SECTION 5. Section 3105.004(b), Government Code, is amended  
3 to read as follows:

4 (b) The commission shall:

5 (1) establish and maintain historical and archival  
6 records of the inducted officers and jailers that must be  
7 accessible to family members and independent researchers; and

8 (2) adopt rules and establish procedures for adding  
9 names to the monument in accordance with Sections [~~Section~~]  
10 3105.003 and 3105.0035.

11 SECTION 6. Section 3105.005(c), Government Code, is amended  
12 to read as follows:

13 (c) Money in the account may be used only for the purposes  
14 prescribed by Section 3105.004 [~~this chapter~~].

15 SECTION 7. Chapter 3105, Government Code, is amended by  
16 adding Sections 3105.006 and 3105.007 to read as follows:

17 Sec. 3105.006. TEXAS PEACE OFFICERS' MEMORIAL CEREMONY  
18 COMMITTEE. (a) The committee is established to plan, oversee, and  
19 facilitate annual ceremonies recognizing and honoring peace  
20 officers of this state who were killed in the line of duty.

21 (b) The committee consists of the following members:

22 (1) a president, or the president's designee, of any  
23 law enforcement organization that:

24 (A) provides full service legal and political  
25 representation to law enforcement officers of this state;

26 (B) has at least 10,000 members paying dues, as  
27 provided by the organization's Internal Revenue Service Form 990

1 for the previous reporting period;

2 (C) has complied with all filing requirements of  
3 the Internal Revenue Service, the United States Department of  
4 Labor, and the secretary of state; and

5 (D) has an elected board of directors;

6 (2) a surviving spouse of a peace officer killed in the  
7 line of duty selected by the chapters of the Concerns of Police  
8 Survivors of this state; and

9 (3) the following nonvoting members or designees of  
10 the members:

11 (A) the governor;

12 (B) the lieutenant governor;

13 (C) the speaker of the house of representatives;

14 (D) the attorney general;

15 (E) the director of the Department of Public  
16 Safety;

17 (F) the executive director of the board; and

18 (G) the executive director of the commission.

19 Sec. 3105.007. TEXAS PEACE OFFICERS' MEMORIAL CEREMONY.

20 (a) The committee shall meet as necessary to plan and coordinate  
21 an annual memorial ceremony on the Capitol grounds to honor Texas  
22 peace officers who were killed in the line of duty.

23 (b) The committee shall hold the ceremony on a date selected  
24 by the committee during the week in which May 8 occurs.

25 (c) The ceremony may be funded by public or private money.

26 (d) Each odd-numbered year, the ceremony must include:

27 (1) a parade of law enforcement color guards and

1 personnel ending at the Capitol; and

2 (2) a ceremony held during a joint session of the  
3 legislature on the floor of the house of representatives, if  
4 possible.

5 (e) During the ceremony under this section, the name of each  
6 peace officer who is being added to the monument that year must be  
7 read and the surviving family members of the peace officer must be  
8 recognized.

9 SECTION 8. This Act takes effect immediately if it receives  
10 a vote of two-thirds of all the members elected to each house, as  
11 provided by Section 39, Article III, Texas Constitution. If this  
12 Act does not receive the vote necessary for immediate effect, this  
13 Act takes effect September 1, 2017.

---

President of the Senate

---

Speaker of the House

I certify that H.B. No. 3647 was passed by the House on April 27, 2017, by the following vote: Yeas 144, Nays 0, 3 present, not voting; and that the House concurred in Senate amendments to H.B. No. 3647 on May 24, 2017, by the following vote: Yeas 144, Nays 0, 2 present, not voting.

---

Chief Clerk of the House

I certify that H.B. No. 3647 was passed by the Senate, with amendments, on May 22, 2017, by the following vote: Yeas 30, Nays 0.

---

Secretary of the Senate

APPROVED: \_\_\_\_\_

Date

---

Governor