

By: Dale, Moody, Pickett, Meyer

H.B. No. 3647

Substitute the following for H.B. No. 3647:

By: Raney

C.S.H.B. No. 3647

A BILL TO BE ENTITLED

AN ACT

relating to the Texas Peace Officers' Memorial Monument.

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

SECTION 1. 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 state penal institution in this state.

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

SECTION 2. Chapter 3105, Government Code, is amended by adding Section 3105.0035 to read as follows:

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

1 (a) A peace officer, law enforcement agency, independent
2 researcher, or organization that advocates on behalf of the
3 survivors of persons described by Section 3105.003 may submit to
4 the commission a nomination to have a person's name added to the
5 monument.

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

9 (c) The commission shall place each nomination, including
10 the executive director's preliminary recommendation, on the agenda
11 of a scheduled meeting of the commission for consideration by the
12 commission. The commission shall allow public testimony and
13 consider any evidence presented regarding the eligibility of the
14 person nominated. After hearing testimony and considering
15 evidence, the commission shall determine by a public vote whether
16 the person meets the eligibility requirements under Section
17 3105.003.

18 (d) The commission shall add a person's name to the monument
19 if the commission determines that the person meets the eligibility
20 requirements.

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

23 (b) The commission shall:

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

27 (2) adopt rules and establish procedures for adding

1 names to the monument in accordance with Sections [~~Section~~]
2 3105.003 and 3105.0035.

3 SECTION 4. This Act takes effect immediately if it receives
4 a vote of two-thirds of all the members elected to each house, as
5 provided by Section 39, Article III, Texas Constitution. If this
6 Act does not receive the vote necessary for immediate effect, this
7 Act takes effect September 1, 2017.