

**House Bill 3647**  
Senate Amendments  
Section-by-Section Analysis

HOUSE VERSION

No equivalent provision.

No equivalent provision.

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.

SENATE VERSION (CS)

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. Same as House version.

CONFERENCE

**House Bill 3647**  
Senate Amendments  
Section-by-Section Analysis

HOUSE VERSION

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

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

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

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

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

(b) The commission shall:

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

SENATE VERSION (CS)

SECTION 4. Same as House version.

SECTION 5. Same as House version.

CONFERENCE

**House Bill 3647**  
Senate Amendments  
Section-by-Section Analysis

HOUSE VERSION

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

No equivalent provision.

No equivalent provision.

SENATE VERSION (CS)

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

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

SECTION 7. Chapter 3105, Government Code, is amended by adding Sections 3105.006 and 3105.007 to read as follows:  
Sec. 3105.006. TEXAS PEACE OFFICERS' MEMORIAL CEREMONY COMMITTEE. (a) The committee is established to plan, oversee, and facilitate annual ceremonies recognizing and honoring peace officers of this state who were killed in the line of duty.

(b) The committee consists of the following members:

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

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

(B) has at least 10,000 members paying dues, as provided by the organization's Internal Revenue Service Form 990 for the previous reporting period;

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

(D) has an elected board of directors;

(2) a surviving spouse of a peace officer killed in the line of duty selected by the chapters of the Concerns of Police

CONFERENCE

**House Bill 3647**  
Senate Amendments  
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (CS)

CONFERENCE

Survivors of this state; and  
(3) the following nonvoting members or designees of the members:  
(A) the governor;  
(B) the lieutenant governor;  
(C) the speaker of the house of representatives;  
(D) the attorney general;  
(E) the director of the Department of Public Safety;  
(F) the executive director of the board; and  
(G) the executive director of the commission.  
Sec. 3105.007. TEXAS PEACE OFFICERS' MEMORIAL CEREMONY. (a) The committee shall meet as necessary to plan and coordinate an annual memorial ceremony on the Capitol grounds to honor Texas peace officers who were killed in the line of duty.  
(b) The committee shall hold the ceremony on a date selected by the committee during the week in which May 8 occurs.  
(c) The ceremony may be funded by public or private money.  
(d) Each odd-numbered year, the ceremony must include:  
(1) a parade of law enforcement color guards and personnel ending at the Capitol; and  
(2) a ceremony held during a joint session of the legislature on the floor of the house of representatives, if possible.  
(e) During the ceremony under this section, the name of each peace officer who is being added to the monument that year must be read and the surviving family members of the peace officer must be recognized.

SECTION 4. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If

SECTION 8. Same as House version.

**House Bill 3647**  
Senate Amendments  
Section-by-Section Analysis

HOUSE VERSION

this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2017.

SENATE VERSION (CS)

CONFERENCE