

By: Goldman

H.B. No. 2801

A BILL TO BE ENTITLED

1 AN ACT  
2 relating to airport police forces and security vehicles, including  
3 the authority to commission peace officers and the rights,  
4 privileges, and duties of those officers.

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

6 SECTION 1. Article 2.12, Code of Criminal Procedure, is  
7 amended to read as follows:

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

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

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

16 (3) marshals or police officers of an incorporated  
17 city, town, or village, and those reserve municipal police officers  
18 who hold a permanent peace officer license issued under Chapter  
19 1701, Occupations Code;

20 (4) rangers, officers, and members of the reserve  
21 officer corps commissioned by the Public Safety Commission and the  
22 Director of the Department of Public Safety;

23 (5) investigators of the district attorneys', criminal  
24 district attorneys', and county attorneys' offices;

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

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

5 (8) officers commissioned under Section 37.081,  
6 Education Code, or Subchapter E, Chapter 51, Education Code;

7 (9) officers commissioned by the General Services  
8 Commission;

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

11 (11) ~~[airport police]~~ officers commissioned under  
12 Chapter 23, Transportation Code ~~[by a city with a population of more~~  
13 ~~than 1.18 million located primarily in a county with a population of~~  
14 ~~2 million or more that operates an airport that serves commercial~~  
15 ~~air carriers];~~

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

20 ~~[(13)]~~ municipal park and recreational patrolmen and  
21 security officers;

22 (13) ~~[(14)]~~ security officers and investigators  
23 commissioned as peace officers by the comptroller;

24 (14) ~~[(15)]~~ officers commissioned by a water control  
25 and improvement district under Section 49.216, Water Code;

26 (15) ~~[(16)]~~ officers commissioned by a board of  
27 trustees under Chapter 54, Transportation Code;

1           (16) [~~(17)~~] investigators commissioned by the Texas  
2 Medical Board;

3           (17) [~~(18)~~] officers commissioned by:

4                   (A) the board of managers of the Dallas County  
5 Hospital District, the Tarrant County Hospital District, the Bexar  
6 County Hospital District, or the El Paso County Hospital District  
7 under Section [281.057](#), Health and Safety Code;

8                   (B) the board of directors of the Ector County  
9 Hospital District under Section [1024.117](#), Special District Local  
10 Laws Code; and

11                   (C) the board of directors of the Midland County  
12 Hospital District of Midland County, Texas, under Section [1061.121](#),  
13 Special District Local Laws Code;

14           (18) [~~(19)~~] county park rangers commissioned under  
15 Subchapter E, Chapter [351](#), Local Government Code;

16           (19) [~~(20)~~] investigators employed by the Texas  
17 Racing Commission;

18           (20) [~~(21)~~] officers commissioned under Chapter [554](#),  
19 Occupations Code;

20           (21) [~~(22)~~] officers commissioned by the governing  
21 body of a metropolitan rapid transit authority under Section  
22 [451.108](#), Transportation Code, or by a regional transportation  
23 authority under Section [452.110](#), Transportation Code;

24           (22) [~~(23)~~] investigators commissioned by the  
25 attorney general under Section [402.009](#), Government Code;

26           (23) [~~(24)~~] security officers and investigators  
27 commissioned as peace officers under Chapter [466](#), Government Code;

1           (24) [~~(25)~~] officers appointed by an appellate court  
2 under Subchapter F, Chapter 53, Government Code;

3           (25) [~~(26)~~] officers commissioned by the state fire  
4 marshal under Chapter 417, Government Code;

5           (26) [~~(27)~~] an investigator commissioned by the  
6 commissioner of insurance under Section 701.104, Insurance Code;

7           (27) [~~(28)~~] apprehension specialists and inspectors  
8 general commissioned by the Texas Juvenile Justice Department as  
9 officers under Sections 242.102 and 243.052, Human Resources Code;

10          (28) [~~(29)~~] officers appointed by the inspector  
11 general of the Texas Department of Criminal Justice under Section  
12 493.019, Government Code;

13          (29) [~~(30)~~] investigators commissioned by the Texas  
14 Commission on Law Enforcement under Section 1701.160, Occupations  
15 Code;

16          (30) [~~(31)~~] commission investigators commissioned by  
17 the Texas Private Security Board under Section 1702.061,  
18 Occupations Code;

19          (31) [~~(32)~~] the fire marshal and any officers,  
20 inspectors, or investigators commissioned by an emergency services  
21 district under Chapter 775, Health and Safety Code;

22          (32) [~~(33)~~] officers commissioned by the State Board  
23 of Dental Examiners under Section 254.013, Occupations Code,  
24 subject to the limitations imposed by that section;

25          (33) [~~(34)~~] investigators commissioned by the Texas  
26 Juvenile Justice Department as officers under Section 221.011,  
27 Human Resources Code; and

1           (34) [~~35~~] the fire marshal and any related officers,  
2 inspectors, or investigators commissioned by a county under  
3 Subchapter B, Chapter 352, Local Government Code.

4           SECTION 2. Section 22.091, Transportation Code, as added by  
5 Chapter 723 (S.B. 1024), Acts of the 85th Legislature, Regular  
6 Session, 2017, is redesignated as Section 22.092, Transportation  
7 Code, to read as follows:

8           Sec. 22.092 [~~22.091~~]. AIRPORT SECURITY VEHICLES. (a) In  
9 this section, "airport security vehicle" means a motor vehicle  
10 that:

11           (1) is owned or leased by a joint board; and  
12           (2) has been designated or authorized by the joint  
13 board.

14           (b) An airport security vehicle may be equipped with  
15 flashing blue and amber lights visible from directly in front of the  
16 center of the vehicle.

17           SECTION 3. The heading to Chapter 23, Transportation Code,  
18 is amended to read as follows:

19           CHAPTER 23. AIRPORT POLICE FORCES [~~SECURITY PERSONNEL~~]

20           SECTION 4. Section 23.001, Transportation Code, is amended  
21 to read as follows:

22           Sec. 23.001. ESTABLISHMENT OF AIRPORT POLICE [~~SECURITY~~]  
23 FORCE; COMMISSIONING OF PEACE OFFICERS. The governing body of a  
24 joint board, as defined by Section 22.071, or other political  
25 subdivision that operates an airport served by an air carrier  
26 certificated by the Federal Aviation Administration [~~Civil~~  
27 ~~Aeronautics Board~~] or the United States Department of

1 Transportation may:

- 2           (1) establish an airport police [~~security~~] force; and  
3           (2) commission and employ a peace officer, subject to  
4 Chapter 1701, Occupations Code, if the employee takes and files the  
5 oath required of peace officers [~~employ airport security~~  
6 ~~personnel~~].

7           SECTION 5. Sections 23.002 and 23.003, Transportation Code,  
8 are repealed.

9           SECTION 6. To the extent of any conflict, this Act prevails  
10 over another Act of the 86th Legislature, Regular Session, 2019,  
11 relating to nonsubstantive additions to and corrections in enacted  
12 codes.

13           SECTION 7. This Act takes effect September 1, 2019.