

By: Toth

H.B. No. 4349

A BILL TO BE ENTITLED

AN ACT

relating to the duties of a constable and deputy constable;  
authorizing certification.

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

SECTION 1. Section 621.401, Transportation Code, is amended  
to read as follows:

Sec. 621.401. DEFINITION. In this subchapter, "weight  
enforcement officer" means:

(1) a license and weight inspector of the Department  
of Public Safety;

(2) a highway patrol officer;

(3) a sheriff or sheriff's deputy;

(4) a municipal police officer in a municipality with  
a population of:

(A) 100,000 or more; or

(B) 74,000 or more in a county with a population  
of more than 1.5 million;

(5) a police officer certified under Section 644.101;  
or

(6) a constable or deputy constable [~~designated under  
Section 621.4015~~].

SECTION 2. Section 644.101(a), Transportation Code, is  
amended to read as follows:

(a) The department shall establish procedures, including

1 training, for the certification of municipal police officers,  
2 sheriffs, [~~and~~] deputy sheriffs, constables, and deputy constables  
3 to enforce this chapter.

4 SECTION 3. Section 644.103(b), Transportation Code, is  
5 amended to read as follows:

6 (b) A municipal police officer who is certified under  
7 Section 644.101 may stop, enter, or detain on a highway or at a port  
8 of entry within the territory of the municipality a motor vehicle  
9 that is subject to this chapter. A sheriff, [~~or~~] deputy sheriff,  
10 constable, or deputy constable who is certified under Section  
11 644.101 may stop, enter, or detain on a highway or at a port of entry  
12 within the territory of the county a motor vehicle that is subject  
13 to this chapter.

14 SECTION 4. Section 621.4015, Transportation Code, is  
15 repealed.

16 SECTION 5. This Act takes effect immediately if it receives  
17 a vote of two-thirds of all the members elected to each house, as  
18 provided by Section 39, Article III, Texas Constitution. If this  
19 Act does not receive the vote necessary for immediate effect, this  
20 Act takes effect September 1, 2019.