

BILL ANALYSIS

H.B. 3756
By: Goldman
Transportation
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Concerns have been raised regarding inequities in the commissioning of airport security forces as peace officers. It has been suggested that these airport peace officers do not have the same benefits and privileges as other commissioned peace officers, given that the applicable law is unclear and outdated. For instance, there is confusion as to whether these peace officers must give bonds and take oaths. H.B. 3756 seeks to clarify this issue by eliminating certain bond requirements and by making certain other changes to ensure these peace officers have the same privileges and take the same oath as other commissioned peace officers in Texas.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

H.B. 3756 amends the Transportation Code to provide for the establishment of airport police forces. The bill replaces the authorization for the governing body of a political subdivision that operates an airport served by a certificated air carrier to establish an airport security force, the employees of which may be commissioned as peace officers, with an authorization for the governing body, and the governing body of a joint airport board, to establish an airport police force and to commission and employ peace officers, if the employee takes and files the oath required of peace officers. The bill repeals statutory provisions doing the following:

- requiring an employee of an airport security force commissioned as a peace officer to give a bond made payable to the political subdivision; and
- granting the peace officer the rights, privileges, and duties of a peace officer only while on property under the control of the airport or acting in the actual course and scope of the person's employment.

H.B. 3756 amends the Code of Criminal Procedure to make conforming changes.

H.B. 3756 repeals the following provisions of the Transportation Code:

- Section 23.002; and
- Section 23.003.

EFFECTIVE DATE

September 1, 2021.