

By: Vo, Garcia, Neave Criado, Geren, Guillen,
et al.

H.B. No. 1152

Substitute the following for H.B. No. 1152:

By: Goodwin

C.S.H.B. No. 1152

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the licensing of certain veterans by the Texas
3 Commission on Law Enforcement and the hiring of those veterans by
4 political subdivisions.

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

6 SECTION 1. The heading to Chapter 370, Local Government
7 Code, is amended to read as follows:

8 CHAPTER 370. MISCELLANEOUS PROVISIONS RELATING TO [~~MUNICIPAL AND~~
9 ~~COUNTY~~] HEALTH AND PUBLIC SAFETY OF MORE THAN ONE TYPE OF LOCAL
10 GOVERNMENT

11 SECTION 2. Chapter 370, Local Government Code, is amended
12 by adding Section 370.007 to read as follows:

13 Sec. 370.007. APPOINTING OR EMPLOYING CERTAIN VETERANS TO
14 POSITION REQUIRING LICENSURE. (a) In this section, "commission"
15 means the Texas Commission on Law Enforcement.

16 (b) Notwithstanding any other law, a political subdivision
17 that appoints or employs a person to hold a position that requires
18 the person to be licensed by the commission may appoint or employ a
19 legal permanent resident of the United States to hold the position
20 if the person is an honorably discharged veteran of the armed forces
21 of the United States with at least two years of service before
22 discharge and holds the appropriate license issued by the
23 commission.

24 SECTION 3. Subchapter G, Chapter 1701, Occupations Code, is

1 amended by adding Section 1701.3095 to read as follows:

2 Sec. 1701.3095. LICENSING OF CERTAIN VETERANS WHO ARE LEGAL
3 PERMANENT RESIDENTS. The commission shall issue a license the
4 commission is authorized to issue to a person who is a legal
5 permanent resident of the United States if the person:

6 (1) meets the requirements of this chapter and the
7 commission's rules for the license; and

8 (2) is an honorably discharged veteran of the armed
9 forces of the United States with at least two years of service
10 before discharge.

11 SECTION 4. Section 1701.451(a), Occupations Code, is
12 amended to read as follows:

13 (a) Before a law enforcement agency may hire a person
14 licensed under this chapter, the agency must, on a form and in the
15 manner prescribed by the commission:

16 (1) obtain the person's written consent for the agency
17 to review the information required to be reviewed under this
18 section;

19 (2) request from the commission and any other
20 applicable person information required to be reviewed under this
21 section; and

22 (3) submit to the commission confirmation that the
23 agency, to the best of the agency's ability before hiring the
24 person:

25 (A) contacted each entity or individual
26 necessary to obtain the information required to be reviewed under
27 this section; and

1 (B) except as provided by Subsection (b),
2 obtained and reviewed as related to the person, as applicable:

3 (i) personnel files and other employee
4 records from each previous law enforcement agency employer,
5 including the employment application submitted to the previous
6 employer;

7 (ii) employment termination reports
8 maintained by the commission under this subchapter;

9 (iii) service records maintained by the
10 commission;

11 (iv) proof that the person meets the
12 minimum qualifications for enrollment in a training program under
13 Section 1701.251(a);

14 (v) a military veteran's United States
15 Department of Defense Form DD-214 or other military discharge
16 record;

17 (vi) criminal history record information;

18 (vii) information on pending warrants as
19 available through the Texas Crime Information Center and National
20 Crime Information Center;

21 (viii) evidence of financial
22 responsibility as required by Section 601.051, Transportation
23 Code;

24 (ix) a driving record from the Department
25 of Public Safety;

26 (x) proof of United States citizenship or,
27 if the person is an honorably discharged veteran of the armed forces

1 of the United States with at least two years of service before
2 discharge, legal permanent residence; and

3 (xi) information on the person's background
4 from at least three personal references and at least two
5 professional references.

6 SECTION 5. Not later than December 1, 2023, the Texas
7 Commission on Law Enforcement shall amend rules as necessary to
8 comply with Section 1701.3095, Occupations Code, as added by this
9 Act, and Section 1701.451, Occupations Code, as amended by this
10 Act.

11 SECTION 6. Section 1701.451, Occupations Code, as amended
12 by this Act, applies only to the hiring of a person by a law
13 enforcement agency that occurs on or after December 1, 2023. The
14 hiring of a person by a law enforcement agency that occurs before
15 that date is governed by the law in effect immediately before the
16 effective date of this Act, and the former law is continued in
17 effect for that purpose.

18 SECTION 7. This Act takes effect September 1, 2023.