

By: Bailes

H.B. No. 4496

A BILL TO BE ENTITLED

1 AN ACT  
2 relating to the authority of a county commissioner to employ and  
3 commission a peace officer.

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

5 SECTION 1. Subchapter B, Chapter 81, Local Government Code,  
6 is amended by adding Section 81.035 to read as follows:

7 Sec. 81.035. PEACE OFFICERS. A county commissioner may  
8 employ and commission as a peace officer a person who has been  
9 certified as qualified to be a peace officer by the Texas Commission  
10 on Law Enforcement.

11 SECTION 2. Article 2.12, Code of Criminal Procedure, is  
12 amended to read as follows:

13 Art. 2.12. WHO ARE PEACE OFFICERS. The following are peace  
14 officers:

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

18 (2) constables, deputy constables, and those reserve  
19 deputy constables who hold a permanent peace officer license issued  
20 under Chapter 1701, Occupations Code;

21 (3) marshals or police officers of an incorporated  
22 city, town, or village, and those reserve municipal police officers  
23 who hold a permanent peace officer license issued under Chapter  
24 1701, Occupations Code;

1           (4) rangers, officers, and members of the reserve  
2 officer corps commissioned by the Public Safety Commission and the  
3 Director of the Department of Public Safety;

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

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

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

10          (8) officers commissioned under Section [37.081](#),  
11 Education Code, or Subchapter [E](#), Chapter [51](#), Education Code;

12          (9) officers commissioned by the General Services  
13 Commission;

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

16          (11) officers commissioned under Chapter [23](#),  
17 Transportation Code;

18          (12) municipal park and recreational patrolmen and  
19 security officers;

20          (13) security officers and investigators commissioned  
21 as peace officers by the comptroller;

22          (14) officers commissioned by a water control and  
23 improvement district under Section [49.216](#), Water Code;

24          (15) officers commissioned by a board of trustees  
25 under Chapter [54](#), Transportation Code;

26          (16) investigators commissioned by the Texas Medical  
27 Board;

1 (17) officers commissioned by:

2 (A) the board of managers of the Dallas County  
3 Hospital District, the Tarrant County Hospital District, the Bexar  
4 County Hospital District, or the El Paso County Hospital District  
5 under Section 281.057, Health and Safety Code;

6 (B) the board of directors of the Ector County  
7 Hospital District under Section 1024.117, Special District Local  
8 Laws Code;

9 (C) the board of directors of the Midland County  
10 Hospital District of Midland County, Texas, under Section 1061.121,  
11 Special District Local Laws Code; and

12 (D) the board of hospital managers of the Lubbock  
13 County Hospital District of Lubbock County, Texas, under Section  
14 1053.113, Special District Local Laws Code;

15 (18) county park rangers commissioned under  
16 Subchapter E, Chapter 351, Local Government Code;

17 (19) investigators employed by the Texas Racing  
18 Commission;

19 (20) officers commissioned under Chapter 554,  
20 Occupations Code;

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

25 (22) investigators commissioned by the attorney  
26 general under Section 402.009, Government Code;

27 (23) security officers and investigators commissioned

1 as peace officers under Chapter 466, Government Code;

2 (24) officers appointed by an appellate court under  
3 Subchapter F, Chapter 53, Government Code;

4 (25) officers commissioned by the state fire marshal  
5 under Chapter 417, Government Code;

6 (26) an investigator commissioned by the commissioner  
7 of insurance under Section 701.104, Insurance Code;

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

11 (28) officers appointed by the inspector general of  
12 the Texas Department of Criminal Justice under Section 493.019,  
13 Government Code;

14 (29) investigators commissioned by the Texas  
15 Commission on Law Enforcement under Section 1701.160, Occupations  
16 Code;

17 (30) commission investigators commissioned by the  
18 Texas Private Security Board under Section 1702.061, Occupations  
19 Code;

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

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

26 (33) investigators commissioned by the Texas Juvenile  
27 Justice Department as officers under Section 221.011, Human

1 Resources Code; [~~and~~]

2 (34) the fire marshal and any related officers,  
3 inspectors, or investigators commissioned by a county under  
4 Subchapter B, Chapter 352, Local Government Code; and

5 (35) officers commissioned by a county commissioner  
6 under Section 81.035, Local Government Code.

7 SECTION 3. This Act takes effect September 1, 2023.