

By: Bailes

H.B. No. 4496

A BILL TO BE ENTITLED

AN ACT

relating to the authority of a county commissioner to employ and commission a peace officer.

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

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

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

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

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

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

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

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

(17) officers commissioned by:

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

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

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

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

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

(19) investigators employed by the Texas Racing Commission;

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

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

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

(23) security officers and investigators commissioned

as peace officers under Chapter 466, Government Code;

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

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

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

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

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

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

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

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

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

(33) investigators commissioned by the Texas Juvenile 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.