

By: Holland

H.B. No. 4873

A BILL TO BE ENTITLED

AN ACT

relating to the licensing and regulation of peace officers.

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

SECTION 1. Subchapter D, Chapter 1701, Occupations Code, is amended by adding Sections 1701.165 and 1701.166 to read as follows:

Sec. 1701.165. STANDARDS OF CONDUCT. (a) The commission by rule shall prescribe standards of conduct for officers.

(b) The standards of conduct must establish minimum standards with respect to the following:

(1) pursuit of a suspect;

(2) arrest and control tactics;

(3) executing high-risk warrants; and

(4) conducting traffic stops, including a uniform standard for conducting a traffic stop for an offense punishable by fine only.

(c) The commission shall biennially review and update the standards of conduct as necessary.

Sec. 1701.166. SUBMISSION OF REVOKED LICENSE TO NATIONAL DATABASE. (a) In this section, "national misconduct database" means the National Decertification Index maintained by the International Association of Directors of Law Enforcement Standards and Training, or a similar database selected by the commission that serves as a registry for the revocation of officer

1 licenses in several jurisdictions based on misconduct committed by
2 the officer.

3 (b) The commission shall submit to the national misconduct
4 database information necessary to create a record in the database
5 for each officer license the commission revokes under Section
6 1701.501(a-1) or 1701.4521.

7 SECTION 2. Subchapter G, Chapter 1701, Occupations Code, is
8 amended by adding Section 1701.3135 to read as follows:

9 Sec. 1701.3135. DISQUALIFICATION: REVOCATION OR SUSPENSION
10 IN ANOTHER STATE. A person is disqualified to be an officer, and
11 the commission may not issue an officer license to the person, if
12 the person has been issued a license or other authorization to act
13 as an officer in another state and the license or authorization was
14 revoked or suspended.

15 SECTION 3. Section 1701.501, Occupations Code, is amended
16 by adding Subsection (a-1) to read as follows:

17 (a-1) Except as provided by Subsection (d), the commission
18 may revoke or suspend a license, place on probation a person whose
19 license has been suspended, or reprimand a license holder for
20 violating a standard of conduct prescribed under Section 1701.165.

21 SECTION 4. Not later than January 1, 2024, the Texas
22 Commission on Law Enforcement shall:

23 (1) prescribe the standards of conduct required by
24 Section 1701.165, Occupations Code, as added by this Act; and

25 (2) adopt the rules necessary to implement Chapter
26 1701, Occupations Code, as amended by this Act.

27 SECTION 5. Section 1701.3135, Occupations Code, as added by

1 this Act, applies only to an application for an officer license
2 submitted under Chapter 1701, Occupations Code, on or after the
3 effective date of this Act. An application submitted before the
4 effective date of this Act is governed by the law in effect on the
5 date the application was submitted, and the former law is continued
6 in effect for that purpose.

7 SECTION 6. The standards of conduct required by Section
8 1701.165, Occupations Code, as added by this Act, apply only to
9 conduct that occurs on or after January 1, 2024. Conduct that
10 occurs before January 1, 2024, is governed by the law in effect on
11 the date the conduct occurred, and the former law is continued in
12 effect for that purpose.

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