

By: Alvarado, et al.

S.B. No. 252

A BILL TO BE ENTITLED

AN ACT

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

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

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

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

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

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

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

(c) A political subdivision may not appoint or employ a

1 person under this section to hold a supervisory position until the
2 person becomes a United States citizen.

3 SECTION 3. Subchapter G, Chapter 1701, Occupations Code, is
4 amended by adding Section 1701.3095 to read as follows:

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

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

11 (2) is an honorably discharged veteran of the armed
12 forces of the United States with at least two years of service
13 before discharge; and

14 (3) presents evidence satisfactory to the commission
15 that the person has applied for United States citizenship.

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

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

21 (1) obtain the person's written consent for the agency
22 to review the information required to be reviewed under this
23 section;

24 (2) request from the commission and any other
25 applicable person information required to be reviewed under this
26 section; and

27 (3) submit to the commission confirmation that the

1 agency, to the best of the agency's ability before hiring the
2 person:

3 (A) contacted each entity or individual
4 necessary to obtain the information required to be reviewed under
5 this section; and

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

8 (i) personnel files and other employee
9 records from each previous law enforcement agency employer,
10 including the employment application submitted to the previous
11 employer;

12 (ii) employment termination reports
13 maintained by the commission under this subchapter;

14 (iii) service records maintained by the
15 commission;

16 (iv) proof that the person meets the
17 minimum qualifications for enrollment in a training program under
18 Section 1701.251(a);

19 (v) a military veteran's United States
20 Department of Defense Form DD-214 or other military discharge
21 record;

22 (vi) criminal history record information;

23 (vii) information on pending warrants as
24 available through the Texas Crime Information Center and National
25 Crime Information Center;

26 (viii) evidence of financial
27 responsibility as required by Section 601.051, Transportation

1 Code;

2 (ix) a driving record from the Department
3 of Public Safety;

4 (x) proof of United States citizenship or,
5 if the person is an honorably discharged veteran of the armed forces
6 of the United States with at least two years of service before
7 discharge, proof of legal permanent residence and proof that the
8 person has applied for United States citizenship; and

9 (xi) information on the person's background
10 from at least three personal references and at least two
11 professional references.

12 SECTION 5. Not later than December 1, 2023, the Texas
13 Commission on Law Enforcement shall amend rules as necessary to
14 comply with Section 1701.3095, Occupations Code, as added by this
15 Act, and Section 1701.451, Occupations Code, as amended by this
16 Act.

17 SECTION 6. Section 1701.451, Occupations Code, as amended
18 by this Act, applies only to the hiring of a person by a law
19 enforcement agency that occurs on or after December 1, 2023. The
20 hiring of a person by a law enforcement agency that occurs before
21 that date is governed by the law in effect immediately before the
22 effective date of this Act, and the former law is continued in
23 effect for that purpose.

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