

By: Metcalf, Capriglione

H.B. No. 1458

A BILL TO BE ENTITLED

AN ACT

relating to the armed security officers required to be present at public schools and the appointment of reserve police officers by a school district police department.

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

SECTION 1. Article 2A.001, Code of Criminal Procedure, is amended to conform to Section 2, Chapter 624 (H.B. 4372), Section 1, Chapter 870 (H.B. 3981), Section 1, Chapter 950 (S.B. 1727), and Section 1, Chapter 984 (S.B. 2612), Acts of the 88th Legislature, Regular Session, 2023, and is further amended to read as follows:

Art. 2A.001. PEACE OFFICERS GENERALLY. The following are peace officers:

(1) a sheriff, a sheriff's deputy, or a reserve deputy sheriff who holds a permanent peace officer license issued under Chapter 1701, Occupations Code;

(2) a constable, a deputy constable, or a reserve deputy constable who holds a permanent peace officer license issued under Chapter 1701, Occupations Code;

(3) a marshal or police officer of a municipality or a reserve municipal police officer who holds a permanent peace officer license issued under Chapter 1701, Occupations Code;

(4) a ranger, officer, or member of the reserve officer corps commissioned by the Public Safety Commission and the director of the Department of Public Safety;

1 (5) an investigator of a district attorney's, criminal
2 district attorney's, or county attorney's office;

3 (6) a law enforcement agent of the Texas Alcoholic
4 Beverage Commission;

5 (7) a member of an arson investigating unit
6 commissioned by a municipality, a county, or the state;

7 (8) an officer commissioned under Section [37.081](#) or
8 [37.0818](#), Education Code, or Subchapter [E](#), Chapter [51](#), Education
9 Code, or a reserve police officer appointed under Section 37.0816,
10 Education Code, who holds a permanent peace officer license issued
11 under Chapter [1701](#), Occupations Code;

12 (9) an officer commissioned by the Texas Facilities
13 Commission;

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

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

18 (12) a municipal park and recreational patrol officer
19 or security officer;

20 (13) a security officer or investigator commissioned
21 as a peace officer by the comptroller;

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

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

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

(17) an officer 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; or

(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) a county park ranger commissioned under Subchapter E, Chapter 351, Local Government Code;

(19) an investigator employed by the Texas Racing Commission;

(20) an officer commissioned under Chapter 554, Occupations Code;

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

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

(23) a security officer or investigator commissioned

as a peace officer under Chapter 466, Government Code;

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

(25) an officer 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) an officer appointed by the inspector general of
~~[apprehension specialist or inspector general commissioned by]~~ the Texas Juvenile Justice Department ~~[as an officer]~~ under Section 242.102 ~~[or 243.052]~~, Human Resources Code;

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

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

(30) a fire marshal or any related officer, inspector, or investigator commissioned by a county under Subchapter B, Chapter 352, Local Government Code;

(31) a fire marshal or any officer, inspector, or investigator commissioned by an emergency services district under Chapter 775, Health and Safety Code;

(32) a fire marshal or any officer, inspector, or investigator of a municipality who holds a permanent peace officer license issued under Chapter 1701, Occupations Code;

(33) an officer commissioned by the State Board of

Dental Examiners under Section 254.013, Occupations Code, subject to the limitations imposed by that section; and

(34) [(33)] an Alamo complex ranger commissioned by the General Land Office under Section 31.0515, Natural Resources Code, subject to the limitations imposed by that section [investigator commissioned by the Texas Juvenile Justice Department as an officer under Section 221.011, Human Resources Code].

SECTION 2. Section 37.0814(b), Education Code, is amended to read as follows:

(b) A security officer described by Subsection (a) must be:

(1) a school district peace officer;

(2) a school resource officer; ~~or~~

(3) a commissioned peace officer employed as security personnel under Section 37.081*i*;

(4) a reserve deputy sheriff appointed under Section 85.004, Local Government Code, who is a peace officer as described by Article 2A.001, Code of Criminal Procedure;

(5) a reserve police officer appointed under Section 37.0816 who is a peace officer as described by Article 2A.001, Code of Criminal Procedure; or

(6) an honorably retired peace officer, as that term is defined by Section 614.121, Government Code, who has:

(A) kept their commission as a peace officer in active status; and

(B) fulfilled all applicable requirements under Sections 1701.351, 1701.3525, and 1701.357, Occupations Code.

SECTION 3. Subchapter C, Chapter 37, Education Code, is amended by adding Section 37.0816 to read as follows:

Sec. 37.0816. RESERVE POLICE OFFICERS. (a) The board of trustees of a school district may authorize the chief of police of the school district police department to appoint reserve police officers for the district. The board may limit the number of reserve police officers that the chief may appoint.

(b) A reserve police officer serves at the discretion of the chief of police of the school district police department and may be called into service at any time that the chief considers it necessary to have additional officers to preserve the peace and enforce the law.

(c) The chief of police of a school district police department may authorize a reserve police officer who holds a permanent peace officer license issued under Chapter 1701, Occupations Code, to carry a weapon or act as a peace officer at all times, regardless of whether the reserve police officer is engaged in the actual discharge of official duties, or may limit the authority of the reserve police officer to carry a weapon or act as a peace officer to only those times during which the reserve police officer is engaged in the actual discharge of official duties.

(d) A reserve police officer who does not hold a permanent peace officer license issued under Chapter 1701, Occupations Code, may act as a peace officer only:

(1) if the officer has fulfilled all applicable requirements under Sections 1701.351 and 1701.3525, Occupations Code; and

1 (2) during the actual discharge of official duties.

2 (e) A reserve police officer on active duty at the call of
3 the chief of police of the school district police department and
4 actively engaged in assigned duties has the same rights,
5 privileges, and duties as any other peace officer of the state.

6 (f) A reserve police officer, regardless of whether the
7 reserve police officer holds a permanent peace officer license
8 issued under Chapter 1701, Occupations Code, is not:

9 (1) eligible for participation in any program provided
10 by the agency or the board of trustees of the school district that
11 is normally considered a financial benefit of full-time employment
12 or for any pension fund created by statute for the benefit of
13 full-time paid peace officers; or

14 (2) exempt from Chapter 1702, Occupations Code.

15 SECTION 4. Section 1701.001(6), Occupations Code, is
16 amended to read as follows:

17 (6) "Reserve law enforcement officer" means a person
18 designated as a reserve law enforcement officer under Section
19 37.0816, Education Code, Section 85.004, 86.012, or 341.012, Local
20 Government Code, or Section 60.0775, Water Code.

21 SECTION 5. To the extent of any conflict, this Act prevails
22 over another Act of the 89th Legislature, Regular Session, 2025,
23 relating to nonsubstantive additions to and corrections in enacted
24 codes.

25 SECTION 6. This Act takes effect September 1, 2025.