

By: Hernandez

H.B. No. 1561

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to the licensing of legal permanent residents as county  
3 jailers by the Texas Commission on Law Enforcement and the hiring of  
4 those legal permanent residents by political subdivisions.

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

6 SECTION 1. The heading to Section 370.007, Local Government  
7 Code, as added by Chapter 1049 (S.B. 252), Acts of the 88th  
8 Legislature, Regular Session, 2023, is amended to read as follows:

9 Sec. 370.007. APPOINTING OR EMPLOYING CERTAIN LEGAL  
10 PERMANENT RESIDENTS [~~VETERANS~~] TO POSITION REQUIRING LICENSURE.

11 SECTION 2. Section 370.007(b), Local Government Code, as  
12 added by Chapter 1049 (S.B. 252), Acts of the 88th Legislature,  
13 Regular Session, 2023, is amended to read as follows:

14 (b) Notwithstanding any other law, a political subdivision  
15 that appoints or employs a person to hold a position that requires  
16 the person to be licensed by the commission may:

17 (1) appoint or employ a legal permanent resident of  
18 the United States to be a county jailer if the person holds a county  
19 jailer license issued by the commission; and

20 (2) appoint or employ a legal permanent resident of  
21 the United States to hold a [the] position other than as a county  
22 jailer if the person is an honorably discharged veteran of the armed  
23 forces of the United States with at least two years of service  
24 before discharge and holds the appropriate license issued by the

1 commission.

2 SECTION 3. Section 1701.3095, Occupations Code, is amended  
3 to read as follows:

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

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

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

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

15 (b) Notwithstanding Subsection (a), the commission shall  
16 issue a county jailer license to a person who:

17 (1) is a legal permanent resident of the United  
18 States; and

19 (2) meets the requirements of this chapter and the  
20 commission's rules for the license.

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

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

26 (1) obtain the person's written consent for the agency  
27 to review the information required to be reviewed under this

1 section;

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

5 (3) submit to the commission confirmation that the  
6 agency, to the best of the agency's ability before hiring the  
7 person:

8 (A) contacted each entity or individual  
9 necessary to obtain the information required to be reviewed under  
10 this section; and

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

13 (i) personnel files, as described by  
14 Section [1701.4535](#), and other employee records from each previous  
15 law enforcement agency employer, including the employment  
16 application submitted to the previous employer;

17 (ii) employment termination reports and  
18 misconduct investigation reports maintained by the commission  
19 under this subchapter;

20 (iii) service records maintained by the  
21 commission;

22 (iv) proof that the person meets the  
23 minimum qualifications for enrollment in a training program under  
24 Section [1701.251\(a\)](#);

25 (v) a military veteran's United States  
26 Department of Defense Form DD-214 or other military discharge  
27 record;

1 (vi) criminal history record information;

2 (vii) information on pending warrants as  
3 available through the Texas Crime Information Center and National  
4 Crime Information Center;

5 (viii) evidence of financial  
6 responsibility as required by Section 601.051, Transportation  
7 Code;

8 (ix) a driving record from the Department  
9 of Public Safety;

10 (x) proof of:

11 (a) United States citizenship or, if  
12 the person is an honorably discharged veteran of the armed forces of  
13 the United States with at least two years of service before  
14 discharge, proof of legal permanent residence and proof that the  
15 person has applied for United States citizenship; or

16 (b) United States citizenship or  
17 legal permanent residence, if the person is being hired as a county  
18 jailer;

19 (xi) information on the person's background  
20 from at least three personal references and at least two  
21 professional references; and

22 (xii) information on the person's law  
23 enforcement background as available through a database designated  
24 by the commission under Section 1701.169 and, if applicable, a file  
25 or record obtained by the commission under Section 1701.3035.

26 SECTION 5. Not later than December 1, 2025, the Texas  
27 Commission on Law Enforcement shall amend rules as necessary to

1 comply with Sections 1701.3095 and 1701.451, Occupations Code, as  
2 amended by this Act.

3 SECTION 6. Section 1701.451(a), Occupations Code, as  
4 amended by this Act, applies only to the hiring of a person by a law  
5 enforcement agency that occurs on or after December 1, 2025. The  
6 hiring of a person by a law enforcement agency that occurs before  
7 that date is governed by the law in effect immediately before the  
8 effective date of this Act, and the former law is continued in  
9 effect for that purpose.

10 SECTION 7. This Act takes effect September 1, 2025.