

**SUBJECT:** Eligibility requirements for constables

**COMMITTEE:** County Affairs — favorable, without amendment

**VOTE:** 7 ayes — R. Lewis, Bonnen, Chisum, Christian, Denny, Flores, Gutierrez  
0 nays  
2 absent — Kamel, G. Lewis

**WITNESSES:** For — Billy H. Reeves, Justices of the Peace and Constables Association of Texas  
Against — None  
On — Wayne Green, Texas Commission on Law Enforcement Officer Standards and Education

**BACKGROUND :** Constables are local peace officers with jurisdiction in their home county over all criminal and civil law enforcement matters. Although constables primarily serve as officers of county commissioners courts, they have the same authority as other licensed peace officers in Texas. There are no minimum qualifications for constables.

The Texas Commission on Law Enforcement Officer Standards and Education requires constables to receive a peace officer license within two years after taking office. Candidates for peace officer licensing must be at least 21 years old, undergo 560 hours of training, have no felony convictions and have a high school diploma or high school equivalency certificate.

**DIGEST:** HB 2071 would set minimum eligibility requirements for the office of constable. Individuals holding the office would be required to:

- have a high school diploma or equivalency certificate;
- be at least 21 years old or at least 18 years old and have completed a minimum of 60 college hours or have received an honorable

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- discharge from the U.S. armed forces after at least two years of service; and
- not have been convicted of a felony.

HB 2071 would apply to constables elected or appointed after December 31, 1997.

The bill would take effect January 1, 1998, if the constitutional amendment proposed by HJR 83 is approved by the voters.

SUPPORTERS/  
OPPONENTS  
SAY:

See analysis for HJR 83.

NOTES:

Rep. Gutierrez plans to offer a floor amendment to exempt from the requirements individuals who currently hold the office of constable and seek re-election.

The 73rd Legislature enacted a similar bill, SB 339 by Parker, setting minimum qualification requirements for the office of sheriff.