

BILL ANALYSIS

Senate Research Center
76R123 KLA-D

S.B. 534
By: Ratliff
Criminal Justice
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As Filed

DIGEST

Currently, Texas law does not require U.S. citizenship for eligibility for certification as a peace officer in the State of Texas. Such requirement existed previous to the 1981 legislative session. Until recently, the Texas Commission on Law Enforcement (commission) had continued to require citizenship for certification based on Section 211.80(a)(1), Texas Administrative Code. An Attorney General Opinion withdrew the commission's authority to use the administrative rule. This bill would reinstate the language requiring citizenship in the statute governing the commission.

PURPOSE

As proposed, S.B. 534 requires a person to be a citizen of the United States to obtain a license to be an officer, county jailer, or public security officer.

RULEMAKING AUTHORITY

This bill does not grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Chapter 415C, Government Code, by adding Section 415.0591, as follows:

Sec. 415.0591. CITIZENSHIP REQUIREMENT. Requires a person to be a citizen of the United States to obtain a license to be an officer, county jailer, or public security officer. Requires the Commission on Law Enforcement Officer Standards and Education to establish procedures for proving citizenship. Exempts a person holding a license on September 1, 1999, from the citizenship requirement, while that license is in effect.

SECTION 2. Effective date: September 1, 1999.

SECTION 3. Emergency clause.