

BILL ANALYSIS

Senate Research Center

H.B. 875
By: Menendez (Whitmire)
Criminal Justice
5/18/2003
Engrossed

DIGEST AND PURPOSE

Under current law, the Texas State Board of Dental Examiners does not have the authority to license its investigators as peace officers. This interferes with its ability to enforce the Dental Practices Act because an investigator who discovers a violation lacks the authority to take immediate action. As a result, reports of incidents must often be passed along to another law enforcement agency before corrective action may be taken. In addition to delaying enforcement, this situation requires the resources of other law enforcement agencies. H.B. 875 addresses this situation by allowing the Texas State Board of Dental Examiners to license certain employees as peace officers.

RULEMAKING AUTHORITY

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

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Article 2.12, Code of Criminal Procedure, to add officers commissioned by the State Board of Dental Examiners (SBDE) under Section 254.013, Occupations Code, subject to the limitations imposed by that section, to the list of individuals considered to be peace officers.

SECTION 2. Amends Chapter 254, Occupations Code, by adding Section 254.013, as follows:

Sec. 254.013. PEACE OFFICERS. (a) Authorizes SBDE to commission as a peace officer to enforce this subtitle an employee who has been certified as qualified to be a peace officer by the Commission on Law Enforcement Officer Standards and Education.

(b) Provides that an employee commissioned as a peace officer under this subtitle has the powers, privileges, and immunities of a peace officer while carrying out duties as a peace officer under this subtitle.

SECTION 3. Effective date: upon passage or September 1, 2003.