

BILL ANALYSIS

Senate Research Center
80R12718 KSD-D

H.B. 1110
By: Callegari (Ellis)
Criminal Justice
5/18/2007
Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Some peace officers are using their rank and officer status in advertisements for their own businesses. H.B. 1110 prohibits an active peace officer from using the officer's rank or status to advertise for a business that the officer owns or manages. This bill does not affect the ability of an officer to obtain extra employment.

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 Chapter 614, Government Code, by adding Subchapter H, as follows:

SUBCHAPTER H. PRIVATE COMMERCIAL USE OF RANK OR STATUS AS PEACE OFFICER

Sec. 614.151. DEFINITION. Defines "peace officer."

Sec. 614.152. USE OF RANK OR STATUS AS PEACE OFFICER TO ADVERTISE OR PROMOTE PRIVATE BUSINESS PROHIBITED. (a) Prohibits an active peace officer from using the peace officer's rank or status as a peace officer to advertise or otherwise promote a private business in which the peace officer has an ownership interest or of which the peace officer is a manager.

(b) Provides that a peace officer who violates this section is subject to disciplinary action by the Commission on Law Enforcement Officer Standards and Education (commission) under Subchapter K (Disciplinary Action), Chapter 1701, Occupations Code. Provides that, for the purposes of Section 1701.501 (Disciplinary Action), Occupations Code, a violation of this section is considered a violation of Chapter 1701 (Law Enforcement Officers), Occupations Code.

(c) Provides that this section does not prohibit a peace officer from obtaining private employment on an individual or an independent contractor basis.

SECTION 2. Effective date: September 1, 2007.