

BILL ANALYSIS

Senate Research Center
80R6267 ACP-F

H.B. 3613
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Criminal Justice
5/12/2007
Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Currently, law enforcement agencies create their own peace officer identification cards, as there is no state standard for such cards. This has led to inconsistency regarding the information on and the quality of the cards. A recent increase in the number of cases of persons impersonating a peace officer have exacerbated this problem, highlighting the ease with which these cards are forged or altered. Efforts to increase homeland security have also served to highlight the problem.

H.B. 3613 creates a statewide standard for peace officer identification cards, including identification cards for reserve law enforcement officers and honorably retired 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 Chapter 614, Government Code, by adding Subchapter H, as follows:

SUBCHAPTER H. PEACE OFFICER IDENTIFICATION CARDS

Sec. 614.121. DEFINITIONS. (a) Defines “full-time peace officer,” “honorably retired peace officer,” “part-time peace officer,” and “reserve law enforcement officer.”

Sec. 614.122. PEACE OFFICERS. (a) Requires the law enforcement agency or other governmental entity (agency or entity) that appoints or employs a peace officer to issue an identification card to its full-time or part-time peace officers.

(b) Requires the identification card to include certain information set forth in this subsection.

(c) Requires the employing entity that issues the card to print certain statements on the identification card.

(d) Requires the head of an agency or entity that appoints or employs a peace officer to recover the identification card at the time of the officer's resignation or termination.

Sec. 614.123. RESERVE LAW ENFORCEMENT OFFICER. (a) Requires the agency or entity that appoints or employs a reserve law enforcement officer to issue an identification card to its reserve law enforcement officers.

(b) Requires the identification card to include certain information set forth in this subsection.

(c) Requires the agency or entity that issues the card to print certain statements on the identification card.

(d) Requires the head of an agency or entity that appoints or employs a reserve law enforcement officer to recover the identification card at the time of the officer's resignation or termination.

Sec. 614.124. HONORABLY RETIRED PEACE OFFICER. (a) Authorizes the agency or entity that was the last entity to appoint or employ an honorably retired peace officer as a peace officer to issue an identification card to its honorably retired peace officers.

(b) Requires the identification card to include certain information set forth in this subsection.

(c) Requires the employing entity that issues the card to print certain statements on the identification card.

(d) Requires the head of an agency or entity that issued the identification card to recover it on the date it expires.

Sec. 614.125. EXPIRATION DATE. Provides that an identification card issued under this subchapter expires on a date specified by the agency or entity issuing the card.

Sec. 614.126. TAMPER-PROOF CARDS. Requires an identification card issued under this subchapter to be tamper-proof to the extent practicable.

Sec. 614.127. LOST OR STOLEN CARDS. Authorizes the agency or entity issuing an identification card under this subchapter, if it is lost or stolen, to require a peace officer, reserve law enforcement officer, or honorably retired peace officer to submit an affidavit executed by the officer to the agency or entity issuing the card stating that it was lost or stolen and to issue a duplicate identification card to the officer.

SECTION 2. Requires each law enforcement agency or other governmental entity required to issue identification cards under Subchapter H, Chapter 614, Government Code, as added by this Act, to issue the cards not later than January 1, 2008.

SECTION 3. Effective date: September 1, 2007.