

GOVERNMENT CODE

TITLE 11. STATE SYMBOLS AND HONORS; PRESERVATION

SUBTITLE A. STATE SYMBOLS AND HONORS

CHAPTER 3105. TEXAS PEACE OFFICERS' MEMORIAL MONUMENT AND CEREMONY

Sec. 3105.001. PURPOSE OF MONUMENT. The Texas Peace Officers' Memorial Monument is erected on the grounds of the Capitol Complex to recognize and honor the ultimate sacrifice made by law enforcement and corrections officers in this state who were killed in the line of duty.

Added by Acts 2003, 78th Leg., ch. 378, Sec. 1, eff. June 18, 2003.

Amended by:

Acts 2013, 83rd Leg., R.S., Ch. 379 (H.B. [3559](#)), Sec. 2, eff. September 1, 2013.

Sec. 3105.002. DEFINITIONS. In this chapter:

(1) "Board" means the State Preservation Board.

(2) "Commission" means the Texas Commission on Law Enforcement.

(2-a) "Committee" means the Texas Peace Officers' Memorial Ceremony Committee.

(3) "Monument" means the Texas Peace Officers' Memorial Monument.

Added by Acts 2003, 78th Leg., ch. 378, Sec. 1, eff. June 18, 2003.

Amended by:

Acts 2013, 83rd Leg., R.S., Ch. 93 (S.B. [686](#)), Sec. 2.37, eff. May 18, 2013.

Acts 2013, 83rd Leg., R.S., Ch. 379 (H.B. [3559](#)), Sec. 3, eff. September 1, 2013.

Acts 2017, 85th Leg., R.S., Ch. 1090 (H.B. [3647](#)), Sec. 2, eff. June 15, 2017.

Sec. 3105.003. ELIGIBILITY FOR MONUMENT. (a) A person is eligible to have the person's name on the monument if the person was killed in the line of duty and was:

(1) a law enforcement officer or peace officer for this state or a political subdivision of this state under Article

[2A.001](#), Code of Criminal Procedure, or other law;

(2) a federal law enforcement officer or special agent performing duties in this state, including those officers under Article [2A.002](#), Code of Criminal Procedure;

(3) a corrections or detention officer or county or municipal jailer employed or appointed by a municipal, county, or state penal institution in this state; or

(4) employed by this state or a political subdivision of this state and considered by the person's employer to be a trainee for a position described by Subdivision (1), (2), or (3).

(b) A person described by Subsection (a) is presumed to have been killed in the line of duty if the Employees Retirement System of Texas makes payments and provides benefits to the eligible survivors of the person as provided by Chapter [615](#).

Added by Acts 2003, 78th Leg., ch. 378, Sec. 1, eff. June 18, 2003.

Amended by:

Acts 2013, 83rd Leg., R.S., Ch. 379 (H.B. [3559](#)), Sec. 4, eff. September 1, 2013.

Acts 2017, 85th Leg., R.S., Ch. 1090 (H.B. [3647](#)), Sec. 3, eff. June 15, 2017.

Acts 2019, 86th Leg., R.S., Ch. 213 (H.B. [381](#)), Sec. 1, eff. September 1, 2019.

Acts 2023, 88th Leg., R.S., Ch. 765 (H.B. [4504](#)), Sec. 2.119, eff. January 1, 2025.

Sec. 3105.0035. NOMINATIONS; ADDITION OF NAMES TO MONUMENT.

(a) A peace officer, law enforcement agency, independent researcher, or organization that advocates on behalf of the survivors of persons described by Section [3105.003](#) may submit to the commission a nomination to have a person's name added to the monument.

(b) The executive director of the commission shall make a preliminary recommendation to the commission on whether a person nominated under Subsection (a) is eligible under Section [3105.003](#).

(c) The commission shall place each nomination, including the executive director's preliminary recommendation, on the agenda of a scheduled meeting of the commission for consideration by the

commission. The commission shall allow public testimony and consider any evidence presented regarding the eligibility of the person nominated. After hearing testimony and considering evidence, the commission shall determine by a public vote whether the person meets the eligibility requirements under Section [3105.003](#).

(d) The commission shall add a person's name to the monument if the commission determines that the person meets the eligibility requirements.

Added by Acts 2017, 85th Leg., R.S., Ch. 1090 (H.B. [3647](#)), Sec. 4, eff. June 15, 2017.

Sec. 3105.004. MAINTENANCE OF MONUMENT. (a) The board is responsible for the maintenance of the monument. The board may raise money from private or public entities for the continued maintenance and update of the monument. The board shall:

(1) establish a schedule for the maintenance of the monument; and

(2) select persons to maintain the monument.

(b) The commission shall:

(1) establish and maintain historical and archival records of the inducted officers and jailers that must be accessible to family members and independent researchers; and

(2) adopt rules and establish procedures for adding names to the monument in accordance with Sections [3105.003](#) and [3105.0035](#).

(c) The commission may contract with public or private entities to:

(1) facilitate research;

(2) establish and maintain historical and archival records; and

(3) store records in a place accessible to the public.

(d) An entity that collects funds for the maintenance and improvement of the Texas Peace Officers' Memorial Monument shall send that money to the board to be deposited in the Capitol fund account.

Added by Acts 2003, 78th Leg., ch. 378, Sec. 1, eff. June 18, 2003.

Amended by:

Acts 2013, 83rd Leg., R.S., Ch. 379 (H.B. [3559](#)), Sec. 5, eff. September 1, 2013.

Acts 2013, 83rd Leg., R.S., Ch. 379 (H.B. [3559](#)), Sec. 6, eff. September 1, 2013.

Acts 2017, 85th Leg., R.S., Ch. 1090 (H.B. [3647](#)), Sec. 5, eff. June 15, 2017.

Sec. 3105.005. ACCOUNT. (a) Money contributed to the state for a purpose related to the monument shall be deposited by the board in the Capitol fund to the credit of a separate interest-bearing account established for the monument.

(b) Notwithstanding other law, income from investments of money in the account shall be deposited to the credit of the account.

(c) Money in the account may be used only for the purposes prescribed by Section [3105.004](#).

Added by Acts 2003, 78th Leg., ch. 378, Sec. 1, eff. June 18, 2003.

Amended by:

Acts 2013, 83rd Leg., R.S., Ch. 379 (H.B. [3559](#)), Sec. 7, eff. September 1, 2013.

Acts 2017, 85th Leg., R.S., Ch. 1090 (H.B. [3647](#)), Sec. 6, eff. June 15, 2017.

Sec. 3105.006. TEXAS PEACE OFFICERS' MEMORIAL CEREMONY COMMITTEE. (a) The committee is established to plan, oversee, and facilitate annual ceremonies recognizing and honoring peace officers of this state who were killed in the line of duty.

(b) The committee consists of the following members:

(1) a president, or the president's designee, of any law enforcement organization that:

(A) provides full service legal and political representation to law enforcement officers of this state;

(B) has at least 10,000 members paying dues, as provided by the organization's Internal Revenue Service Form 990 for the previous reporting period;

(C) has complied with all filing requirements of

the Internal Revenue Service, the United States Department of Labor, and the secretary of state; and

(D) has an elected board of directors;

(2) a surviving spouse of a peace officer killed in the line of duty selected by the chapters of the Concerns of Police Survivors of this state; and

(3) the following nonvoting members or designees of the members:

(A) the governor;

(B) the lieutenant governor;

(C) the speaker of the house of representatives;

(D) the attorney general;

(E) the director of the Department of Public Safety;

(F) the executive director of the board; and

(G) the executive director of the commission.

Added by Acts 2017, 85th Leg., R.S., Ch. 1090 (H.B. [3647](#)), Sec. 7, eff. June 15, 2017.

Sec. 3105.007. TEXAS PEACE OFFICERS' MEMORIAL CEREMONY.

(a) The committee shall meet as necessary to plan and coordinate an annual memorial ceremony on the Capitol grounds to honor Texas peace officers who were killed in the line of duty.

(b) The committee shall hold the ceremony on a date selected by the committee during the week in which May 8 occurs.

(c) The ceremony may be funded by public or private money.

(d) Each odd-numbered year, the ceremony must include:

(1) a parade of law enforcement color guards and personnel ending at the Capitol; and

(2) a ceremony held during a joint session of the legislature on the floor of the house of representatives, if possible.

(e) During the ceremony under this section, the name of each peace officer who is being added to the monument that year must be read and the surviving family members of the peace officer must be recognized.

Added by Acts 2017, 85th Leg., R.S., Ch. 1090 (H.B. [3647](#)), Sec. 7,

eff. June 15, 2017.