Sec. 720.001. BADGE OF SHERIFF, CONSTABLE, OR DEPUTY. (a) A sheriff, constable, or deputy sheriff or deputy constable may not arrest or accost a person for driving a motor vehicle on a highway in violation of a law relating to motor vehicles unless the sheriff, constable, or deputy displays a badge showing the sheriff's, constable's, or deputy's title.

(b) A person commits an offense if the person violates this section. An offense under this section is a misdemeanor punishable in the same manner as an offense under Section 86.011, Local Government Code.

(c) An officer charged by law to take or prosecute a complaint under this section shall be removed from office if the officer refuses to do so.


Sec. 720.002. PROHIBITION ON TRAFFIC-OFFENSE QUOTAS. (a) A political subdivision or an agency of this state may not establish or maintain, formally or informally, a plan to evaluate, promote, compensate, or discipline:

(1) a peace officer according to the officer's issuance of a predetermined or specified number of any type or combination of types of traffic citations; or

(2) a justice of the peace or a judge of a county court, statutory county court, municipal court, or municipal court of record according to the amount of money the justice or judge collects from persons convicted of a traffic offense.

(b) A political subdivision or an agency of this state may not require or suggest to a peace officer, a justice of the peace, or a judge of a county court, statutory county court, municipal court, or municipal court of record:

(1) that the peace officer is required or expected to issue a predetermined or specified number of any type or
combination of types of traffic citations within a specified period; or

(2) that the justice or judge is required or expected to collect a predetermined amount of money from persons convicted of a traffic offense within a specified period.

(c) Repealed by Acts 2009, 81st Leg., R.S., Ch. 737, Sec. 1, eff. June 19, 2009.

(d) This section does not prohibit a municipality from obtaining budgetary information from a municipal court or a municipal court of record, including an estimate of the amount of money the court anticipates will be collected in a budget year.

(e) A violation of this section by an elected official is misconduct and a ground for removal from office. A violation of this section by a person who is not an elected official is a ground for removal from the person's position.

(f) In this section:

(1) "Conviction" means the rendition of an order by a court imposing a punishment of incarceration or a fine.

(2) "Traffic offense" means an offense under:

(A) Chapter 521; or

(B) Subtitle C.


Amended by:

Acts 2009, 81st Leg., R.S., Ch. 737 (S.B. 420), Sec. 1, eff. June 19, 2009.