



**THE ATTORNEY GENERAL
OF TEXAS**

**JIM MATTOX
ATTORNEY GENERAL**

December 15, 1989

Honorable Jim Chapman
Representative in Congress
United States
House of Representatives
429 Cannon House Office Bldg.
Washington, D.C. 20515-4301

LO-89-105

Dear Representative Chapman:

You ask whether a convicted felon who has received a "Gold Seal Pardon" from the State of Louisiana is eligible to be commissioned as a peace officer in Texas. Section 415.058 of the Government Code provides:

(a) A person who has been convicted of a felony is disqualified to be an officer or county jailer. The commission may not license such a person and shall on conviction of a felony immediately revoke the license of a person previously licensed.

(b) For purposes of this section, a person is convicted of a felony if a court of competent jurisdiction enters an adjudication of guilt against the person on a felony offense under the laws of this or another state or the United States, regardless of whether:

(1) the sentence is subsequently probated and the person is discharged from probation;

(2) the accusation, complaint, information, or indictment against the person is dismissed and the person is released from all penalties and disabilities resulting from the offense;
or

(3) the person is pardoned for the

Honorable Jim Chapman
December 15, 1989
Page 2

offense, unless the pardon is granted
expressly for subsequent proof of
innocence.

The information you submitted with your request indicates that the individual in question acknowledges commission of the felony offense for which he was convicted. Therefore, it is clear from subsection (b)(3) of section 415.058 that the individual may not be commissioned as a peace officer in Texas.

Very truly yours,



Sarah Woelk, Chief
Letter Opinion Section

SW/lcd

Ref.: ID# 8338