



**THE ATTORNEY GENERAL
OF TEXAS**

**JIM MATTOX
ATTORNEY GENERAL**

January 8, 1990

Honorable Bill Ratliff
Senator
The State of Texas Senate
P. O. Box 12068, Capitol Bldg
Austin, Texas 78711

LO-90-1

Dear Senator Ratliff:

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 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,

A handwritten signature in cursive script that reads "Sarah Woelk".

Sarah Woelk, Chief
Letter Opinion Section

SW/lcd

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