

- SUBJECT:** Extending concurrent jurisdiction of certain municipal courts
- COMMITTEE:** Criminal Jurisprudence — favorable, without amendment
- VOTE:** 6 ayes — Moody, Hunter, Gervin-Hawkins, Hefner, Lang, Wilson
0 nays
1 absent — Canales
- WITNESSES:** For — David Berman, City of Rowlett, Texas; Mike Brodnax, Rowlett police department; (*Registered, but did not testify:* Katija Gruene, Green Party of Texas)
Against — None
- BACKGROUND:** Code of Criminal Procedure, art. 4.14 and Government Code, ch. 29 establish the jurisdiction of municipal courts. They allow cities with populations of 1.19 million or more and contiguous cities to enter into agreements for concurrent jurisdiction for the municipal courts of either city for fine-only criminal offenses committed at or near the cities' boundaries. This type of concurrent jurisdiction is allowed only for offenses committed on the boundary of the cities or within 200 yards of the boundary. Code of Criminal Procedure, art. 13.045 allows these offenses to be prosecuted in either city.
- DIGEST:** HB 1264 would expand the ability of cities of 1.19 million or more and cities contiguous to them to agree to concurrent jurisdiction of their municipal courts for fine-only offenses. These cities could enter into such agreements for offenses committed within 2.25 miles of the municipalities' boundaries on a segment of the state highway system that traverses a major water supply reservoir.

This bill would take effect September 1, 2017.
- SUPPORTERS** HB 1264 would help protect public safety by facilitating traffic

SAY: enforcement on the bridges crossing Lake Ray Hubbard. Because the city of Dallas owns the lake, multiple bridges that cross it lie within Dallas city limits, even though the bridges go into and out of the city of Rowlett and other localities. The lake and its bridges are several miles from the core of Dallas, which led to significant delays when, before 2015, Dallas authorities responded to accidents on the bridges. Since 2015, the lakeside city of Rowlett has operated under an interlocal agreement with Dallas to provide first responders for emergency calls on the bridges.

After Rowlett police started responding to emergency calls on the bridges, it was clear that concurrent jurisdiction of municipal courts in neighboring cities was not broad enough to allow traffic tickets issued on these roadways to be filed in Dallas or Rowlett courts. The requirement that concurrent jurisdiction extend only within 200 yards of a boundary was too small to allow enforcement on the bridges, which vary in length up to roughly two miles. This meant tickets issued to drivers by Rowlett police were meaningless. The inability of Rowlett police to enforce traffic on the bridges makes the heavily traveled area less safe for everyone.

The bill would allow Dallas and Rowlett to agree to concurrent court jurisdiction for tickets issued on the bridges spanning Lake Ray Hubbard. Both cities would have to formally approve the concurrent jurisdiction by entering into an interlocal agreement that would allow officers from Rowlett to file traffic tickets in Rowlett courts. This would not only make tickets enforceable but allow police officers to operate efficiently by using nearby courts, rather than traveling to Dallas.

The unique circumstances of the location of Dallas, Rowlett, and Lake Ray Hubbard and its bridges warrant the extension of current law. This narrowly drawn bill would affect only Dallas, Rowlett, and Lake Ray Hubbard. Allowing Rowlett officers to enforce traffic on the bridges would not confuse motorists. The bridges go in and out of Rowlett and are miles from Dallas proper, and motorists might logically expect an officer from Rowlett, rather than Dallas, to handle traffic enforcement. Rowlett officers would be enforcing fine-only state traffic offenses, so there would be no confusion about whether an officer was enforcing municipal laws.

OPPONENTS
SAY:

It could be unwise to carve out one area of the state in which municipal courts could have concurrent jurisdiction in a broader area than the rest of Texas. Allowing officers from one jurisdiction to enforce traffic laws in another could confuse motorists and lead to questions about whether an officer had the authority to make a stop. Current law keeps these types of agreements close to cities' boundaries so as not to confuse the public about who is the authority in a particular jurisdiction.