

BILL ANALYSIS

Senate Research Center
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S.B. 568
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Criminal Justice
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DIGEST AND PURPOSE

Currently, under state law, medical corporations in certain municipalities that maintain a police department, staffed with licensed peace officers with authority equivalent to the local police department, have the jurisdiction of their officers restricted to their property. However, city streets run through the hospital property and criminal activity occurs on these streets. The officers have full authority to enforce state law on the property, but they cannot walk into the street or across a curb to perform any law enforcement related activities. As proposed, S.B. 568 expands the jurisdiction of these officers to include the property owned, leased, managed, or controlled by the medical corporation and a perimeter area that extends not farther than one mile from this property, including public streets or alleys.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 51.214, Education Code, as follows:

- (a) Authorizes the governing board of medical corporations in certain municipalities to employ and commission security personnel to enforce the law of this state within the jurisdiction designated by Subsection (c).
- (b) Authorizes an officer commissioned under this section to make arrests. Makes conforming and nonsubstantive changes.
- (c) Provides limitations on the jurisdiction of an officer.
- (d) Provides that an officer commissioned by a medical corporation under this section is not entitled to compensation or benefits provided by this state or a political subdivision of this state.
- (e) Provides that the state or a political subdivision of the state is not liable for an act or omission of an officer during the performance of the officer's assigned duties.
- (f) Prohibits a medical corporation from commissioning a person who has not obtained a peace officer license issued by the Commission on Law Enforcement Officer Standards and Education (TCLEOSE). Requires the medical corporation to pay TCLEOSE any fees that are necessary to obtain a required license on behalf of an employee.
- (g) Provides that if a person's employment with a medical corporation is terminated for any reason, that person's commission and any authority to act as an officer are automatically revoked.

SECTION 2. (a) Effective date: September 1, 2003.

- (b) Requires a person commissioned before the effective date of this act to obtain a peace officer license issued by TCLEOSE not later than September 1, 2004. Provides that a person's commission and authority to act as an officer are automatically revoked if that person does not obtain a license by the required date.