

BILL ANALYSIS

Senate Research Center

C.S.S.B. 527
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Intergovernmental Relations
3-13-2003
Committee Report (Substituted)

DIGEST AND PURPOSE

Currently, Texas law does not authorize a rapid transit authority created before 1980 in a municipality with a population of less than 1.2 million to commission officers to enforce transit laws on transit property. C.S.S.B. 527 authorizes a rapid transit authority created before 1980 in which the principal municipality has a population of less than 1.2 million to commission security personnel as peace officers.

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 451.108, Transportation Code, as follows:

- (a) Authorizes a rapid transit authority to commission and employ peace officers.

- (b) Authorizes a rapid transit authority created before 1980, in which the principal municipality has a population of less than 1.2 million, to establish a security force and to employ and commission security personnel as peace officers.

- (c) Redesignates Subsection (b) as Subsection (c). Authorizes a peace officer, in any county in which the transit system is located, to make an arrest to prevent or abate the commission of an offense against the law, or transit authority system; for an offense involving injury or detriment to the transit authority system; and to enforce all traffic laws and investigate traffic accidents that involve or occur in the transit authority system, except as provided in Subsections (d) and (e).

- (d) Redesignates Subsection (c) as Subsection (d). Provides that a peace officer commissioned under this section from an authority in which the principal municipality has a population of more than 1.5 million and who has filed with the authority the oath of a peace officer has all powers, privileges, and immunities of peace officers in the transit authority system's counties of service and support.

- (e) Provides that a peace officer commissioned under this section from an authority created before 1980 in which the principal municipality has a population of less than 1.2 million and who has filed with the authority the oath of a peace officer [no connecting text in bill as drafted] in counties in which the transit authority system is located, provides services, or is supported by general sales and use tax while the peace officer is on the transit authority system property or performing duties in connection with the transit authority system or its users. [As drafted, does not specify any specific duty or authority ascribed to the peace officer described in the subsection.]

SECTION 2. Effective date: September 1, 2003.

SUMMARY OF COMMITTEE CHANGES

Differs from the original in SECTION 1 by removing proposed text from Subsection (a) and leaving existing text intact, by creating a new Subsection (b), and by redesignating Subsections (b)-(c) as Subsections (c)-(d).

Differs from the original in Subsection (c) by removing previously proposed text referring to transit authority users from Subdivisions (1) and (2), by leaving text of Subdivision (3) intact rather than changing the meaning from enforcing traffic laws to enforcing all laws, and by not including Subdivision (4).

Differs from the original by including the existing Subsection (d). Differs from the original by not ascribing any power or authority to the peace officer described in Subsection (e).