

BILL ANALYSIS

C.S.S.B. 568
By: West
Law Enforcement
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Currently, under state law, medical corporations in certain municipalities that maintain a security department, staffed with licensed peace officers, 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, C.S.S.B. 568 expands the jurisdiction of these officers to include the property owned, leased, managed, or controlled by the medical corporation and a street or alley that abuts the property or an easement in or a right-of-way over or through the property.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

C.S.S.B. 568 amends Section 51.214 of the Education Code by altering the jurisdiction of officers employed by medical corporations in cities of 1.18 million or more. As designated by Subsection (c), created by this Act, the jurisdiction of an officer commissioned under this section is limited to:

- property owned, leased, managed, or controlled by the medical corporation; and
- a street or alley that abuts the property or an easement in or a right-of-way over or through the property.

The bill authorizes an officer commissioned under this section to make arrests within the jurisdiction designated by Subsection (c) .

C.S.S.B. 568 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. The state or political subdivision is not liable for an act or omission of an officer during the performance of the officer's assigned duties. A medical corporation is prohibited from commissioning a person who has not obtained a peace officer license issued by the Texas Commission on Law Enforcement Standards and Education (TCLEOSE), and must pay TCLEOSE any fees that are necessary to obtain a required license on behalf of an employee. If a person's employment with a medical corporation is terminated for any reason, the person's commission and any authority to act as an officer are automatically revoked.

A person commissioned before the effective date of this Act is required to obtain a peace officer license from TCLEOSE no later than September 1, 2004, and the person's commission and authority to act as an officer is automatically revoked for failure to obtain a license by the required date.

EFFECTIVE DATE

This Act takes effect September 1, 2003.

COMPARISON OF ORIGINAL TO SUBSTITUTE

C.S.S.B. 568 modifies the original by altering the jurisdiction of peace officers employed by certain medical corporations. The substitute strikes language that gives these officers jurisdiction over a perimeter area that extends not farther than one mile from property owned, leased, managed, or controlled by the medical corporation, including public streets or alleys, and replaces it with language limiting the jurisdiction to a street or alley that abuts the property or an easement in or a right-of-way over or through the property.