

By: Branch

H.B. No. 1305

A BILL TO BE ENTITLED

AN ACT

relating to security officers for medical corporations in certain municipalities.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 51.214, Education Code, is amended to read as follows:

Sec. 51.214. SECURITY OFFICERS FOR MEDICAL CORPORATIONS IN CERTAIN MUNICIPALITIES. (a) In any municipality with a population of 1.18 million or more, the governing board of a private, nonprofit medical corporation that provides security services for an institution of higher education or a private postsecondary educational institution and other entities located within the same medical complex, or that provides security services for a branch of that medical corporation ~~[complex]~~, may employ and commission security personnel to enforce the law of this state within the jurisdiction designated by Subsection (c) ~~[at the medical complex and its branches]~~.

(b) An officer commissioned under this section may make arrests and has all the powers, privileges, and immunities of a peace officer while ~~[on the property under the control and jurisdiction of the medical corporation or while otherwise]~~ performing the officer's ~~[his]~~ assigned duties within the jurisdiction designated by Subsection (c). An officer assigned to duty and commissioned shall take and file the oath required of peace

1 officers and shall execute and file a good and sufficient bond in
2 the sum of \$1,000, payable to the governor, with two or more good
3 and sufficient sureties, conditioned that the officer [~~he~~] will
4 fairly, impartially, and faithfully perform the duties required of
5 the officer [~~him~~] by law. The bond may be sued on from time to time
6 in the name of the person injured until the whole amount is
7 recovered.

8 (c) The jurisdiction of an officer commissioned under this
9 section is limited to:

10 (1) property owned, leased, managed, or controlled by
11 the medical corporation; and

12 (2) a perimeter area that extends not farther than one
13 mile from property owned, leased, managed, or controlled by the
14 medical corporation, including public streets or alleys.

15 (d) An officer commissioned by a medical corporation under
16 this section is not entitled to compensation or benefits provided
17 by this state or a political subdivision of this state.

18 (e) The state or a political subdivision of this state is
19 not liable for an act or omission of an officer commissioned under
20 this section during the performance of the officer's assigned
21 duties.

22 (f) A medical corporation may not commission a person under
23 this section unless the person obtains a peace officer license
24 issued by the Commission on Law Enforcement Officer Standards and
25 Education. The medical corporation shall pay to the Commission on
26 Law Enforcement Officer Standards and Education on behalf of an
27 employee any fees that are necessary to obtain a required license.

1 (g) A person's commission and any authority to act as an
2 officer under this section are automatically revoked if the
3 person's employment with a medical corporation is terminated for
4 any reason.

5 SECTION 2. (a) This Act takes effect September 1, 2003.

6 (b) A person commissioned before the effective date of this
7 Act by a private nonprofit medical corporation under Section
8 51.214, Education Code, must obtain a peace officer license issued
9 by the Commission on Law Enforcement Officer Standards and
10 Education not later than September 1, 2004. If that person does not
11 obtain the license by that date, the person's commission and any
12 authority to act as an officer under Section 51.214, Education
13 Code, as amended by this Act, are automatically revoked.