

1-1 By: Armbrister S.B. No. 1278  
1-2 (In the Senate - Filed March 12, 2003; March 19, 2003, read  
1-3 first time and referred to Committee on Business and Commerce;  
1-4 April 30, 2003, reported favorably by the following vote: Yeas 7,  
1-5 Nays 0; April 30, 2003, sent to printer.)

1-6 A BILL TO BE ENTITLED  
1-7 AN ACT

1-8 relating to security officers for electric cooperatives.

1-9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-10 SECTION 1. Subchapter B, Chapter 161, Utilities Code, is  
1-11 amended by adding Section 161.0765 to read as follows:

1-12 Sec. 161.0765. SECURITY OFFICERS. (a) The board of an  
1-13 electric cooperative that owns and operates a generating facility  
1-14 may employ and commission security personnel to enforce the law of  
1-15 this state within the jurisdiction designated by Subsection (c).

1-16 (b) An officer commissioned under this section may make  
1-17 arrests and has all the powers, privileges, and immunities of a  
1-18 peace officer while performing the officer's assigned duties within  
1-19 the jurisdiction designated by Subsection (c). An officer assigned  
1-20 to duty and commissioned shall take and file the oath required of  
1-21 peace officers and shall execute and file a good and sufficient bond  
1-22 in the sum of \$1,000, payable to the governor, with two or more good  
1-23 and sufficient sureties, conditioned that the officer will fairly,  
1-24 impartially, and faithfully perform the duties required of the  
1-25 officer by law. The bond may be sued on from time to time in the  
1-26 name of the person injured until the whole amount is recovered.

1-27 (c) The jurisdiction of an officer commissioned under this  
1-28 section is limited to:

1-29 (1) property owned, leased, managed, or controlled by  
1-30 the electric cooperative, including an electric generation  
1-31 facility, a substation, and land surrounding a power line; and

1-32 (2) a perimeter area that extends not farther than one  
1-33 mile from property owned, leased, managed, or controlled by the  
1-34 electric cooperative, including public streets or alleys.

1-35 (d) An officer commissioned by an electric cooperative  
1-36 under this section is not entitled to compensation or benefits  
1-37 provided by this state or a political subdivision of this state.

1-38 (e) The state or a political subdivision of this state is  
1-39 not liable for an act or omission of an officer commissioned under  
1-40 this section during the performance of the officer's assigned  
1-41 duties.

1-42 (f) An electric cooperative may not commission a person  
1-43 under this section unless the person obtains a peace officer  
1-44 license issued by the Commission on Law Enforcement Officer  
1-45 Standards and Education. The electric cooperative shall pay to the  
1-46 Commission on Law Enforcement Officer Standards and Education on  
1-47 behalf of an employee any fees that are necessary to obtain a  
1-48 required license.

1-49 (g) A person's commission and any authority to act as an  
1-50 officer under this section are automatically revoked if the  
1-51 person's employment with an electric cooperative is terminated for  
1-52 any reason.

1-53 SECTION 2. Article 2.12, Code of Criminal Procedure, is  
1-54 amended to read as follows:

1-55 Art. 2.12. WHO ARE PEACE OFFICERS. The following are peace  
1-56 officers:

1-57 (1) sheriffs, their deputies, and those reserve  
1-58 deputies who hold a permanent peace officer license issued under  
1-59 Chapter 1701, Occupations Code;

1-60 (2) constables, deputy constables, and those reserve  
1-61 deputy constables who hold a permanent peace officer license issued  
1-62 under Chapter 1701, Occupations Code;

1-63 (3) marshals or police officers of an incorporated  
1-64 city, town, or village, and those reserve municipal police officers

2-1 who hold a permanent peace officer license issued under Chapter  
 2-2 1701, Occupations Code;  
 2-3 (4) rangers and officers commissioned by the Public  
 2-4 Safety Commission and the Director of the Department of Public  
 2-5 Safety;  
 2-6 (5) investigators of the district attorneys', criminal  
 2-7 district attorneys', and county attorneys' offices;  
 2-8 (6) law enforcement agents of the Texas Alcoholic  
 2-9 Beverage Commission;  
 2-10 (7) each member of an arson investigating unit  
 2-11 commissioned by a city, a county, or the state;  
 2-12 (8) officers commissioned under Section 37.081,  
 2-13 Education Code, or Subchapter E, Chapter 51, Education Code;  
 2-14 (9) officers commissioned by the General Services  
 2-15 Commission;  
 2-16 (10) law enforcement officers commissioned by the  
 2-17 Parks and Wildlife Commission;  
 2-18 (11) airport police officers commissioned by a city  
 2-19 with a population of more than 1.18 million that operates an airport  
 2-20 that serves commercial air carriers;  
 2-21 (12) airport security personnel commissioned as peace  
 2-22 officers by the governing body of any political subdivision of this  
 2-23 state, other than a city described by Subdivision (11), that  
 2-24 operates an airport that serves commercial air carriers;  
 2-25 (13) municipal park and recreational patrolmen and  
 2-26 security officers;  
 2-27 (14) security officers and investigators commissioned  
 2-28 as peace officers by the comptroller;  
 2-29 (15) officers commissioned by a water control and  
 2-30 improvement district under Section 49.216, Water Code;  
 2-31 (16) officers commissioned by a board of trustees  
 2-32 under Chapter 54, Transportation Code;  
 2-33 (17) investigators commissioned by the Texas State  
 2-34 Board of Medical Examiners;  
 2-35 (18) officers commissioned by the board of managers of  
 2-36 the Dallas County Hospital District, the Tarrant County Hospital  
 2-37 District, or the Bexar County Hospital District under Section  
 2-38 281.057, Health and Safety Code;  
 2-39 (19) county park rangers commissioned under  
 2-40 Subchapter E, Chapter 351, Local Government Code;  
 2-41 (20) investigators employed by the Texas Racing  
 2-42 Commission;  
 2-43 (21) officers commissioned under Chapter 554,  
 2-44 Occupations Code;  
 2-45 (22) officers commissioned by the governing body of a  
 2-46 metropolitan rapid transit authority under Section 451.108,  
 2-47 Transportation Code, or by a regional transportation authority  
 2-48 under Section 452.110, Transportation Code;  
 2-49 (23) investigators commissioned by the attorney  
 2-50 general under Section 402.009, Government Code;  
 2-51 (24) security officers and investigators commissioned  
 2-52 as peace officers under Chapter 466, Government Code;  
 2-53 (25) an officer employed by the Texas Department of  
 2-54 Health under Section 431.2471, Health and Safety Code;  
 2-55 (26) officers appointed by an appellate court under  
 2-56 Subchapter F, Chapter 53, Government Code;  
 2-57 (27) officers commissioned by the state fire marshal  
 2-58 under Chapter 417, Government Code;  
 2-59 (28) an investigator commissioned by the commissioner  
 2-60 of insurance under Article 1.10D, Insurance Code;  
 2-61 (29) apprehension specialists commissioned by the  
 2-62 Texas Youth Commission as officers under Section 61.0931, Human  
 2-63 Resources Code;  
 2-64 (30) officers appointed by the executive director of  
 2-65 the Texas Department of Criminal Justice under Section 493.019,  
 2-66 Government Code;  
 2-67 (31) investigators commissioned by the Commission on  
 2-68 Law Enforcement Officer Standards and Education under Section  
 2-69 1701.160, Occupations Code;

3-1 (32) commission investigators commissioned by the  
3-2 Texas Commission on Private Security under Section 1702.061(f),  
3-3 Occupations Code; [~~and~~]

3-4 (33) the fire marshal, and any investigators  
3-5 commissioned by an emergency services district to assist that fire  
3-6 marshal, under Subchapter F, Chapter 775, Health and Safety Code;  
3-7 and

3-8 (34) officers commissioned under Section 161.0765,  
3-9 Utilities Code.

3-10 SECTION 3. This Act takes effect September 1, 2003.

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