

By: West

S.C.R. No. 71

CONCURRENT RESOLUTION

1 WHEREAS, Senate Bill No. 1652 has passed the senate and the  
2 house of representatives and is being prepared for enrollment; and

3 WHEREAS, The bill contains technical errors that should be  
4 corrected; now, therefore, be it

5 RESOLVED by the 78th Legislature of the State of Texas, That  
6 the enrolling clerk of the senate be instructed to make the  
7 following correction:

8 Add a new Article 9 to the bill to read as follows, renumber  
9 existing Article 9 as Article 10, and renumber the sections of  
10 existing Article 9 accordingly:

11 ARTICLE 9. SECURITY OFFICERS

12 SECTION 9.01. (a) Section 51.214, Education Code, is  
13 amended to read as follows:

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

1 (b) An officer commissioned under this section may make  
2 arrests and has all the powers, privileges, and immunities of a  
3 peace officer while [~~on the property under the control and~~  
4 ~~jurisdiction of the medical corporation or while otherwise~~]  
5 performing the officer's [~~his~~] assigned duties within the  
6 jurisdiction designated by Subsection (c). An officer assigned to  
7 duty and commissioned shall take and file the oath required of peace  
8 officers and shall execute and file a good and sufficient bond in  
9 the sum of \$1,000, payable to the governor, with two or more good  
10 and sufficient sureties, conditioned that the officer [~~he~~] will  
11 fairly, impartially, and faithfully perform the duties required of  
12 the officer [~~him~~] by law. The bond may be sued on from time to time  
13 in the name of the person injured until the whole amount is  
14 recovered.

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

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

19 (2) a street or alley that abuts the property or an  
20 easement in or a right-of-way over or through the property.

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

24 (e) The state or a political subdivision of this state is  
25 not liable for an act or omission of an officer commissioned under  
26 this section during the performance of the officer's assigned  
27 duties.

1       (f) A medical corporation may not commission a person under  
2 this section unless the person obtains a peace officer license  
3 issued by the Commission on Law Enforcement Officer Standards and  
4 Education. The medical corporation shall pay to the Commission on  
5 Law Enforcement Officer Standards and Education on behalf of an  
6 employee any fees that are necessary to obtain a required license.

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

11       (b) This section takes effect September 1, 2003.

12       (c) A person commissioned before the effective date of this  
13 section by a private nonprofit medical corporation under Section  
14 51.214, Education Code, must obtain a peace officer license issued  
15 by the Commission on Law Enforcement Officer Standards and  
16 Education not later than September 1, 2004. If that person does not  
17 obtain the license by that date, the person's commission and any  
18 authority to act as an officer under Section 51.214, Education  
19 Code, as amended by this section, are automatically revoked.