

BILL ANALYSIS

C.S.H.B. 95
By: Hodge
Higher Education
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Currently, a campus police officer of the Dallas Theological Seminary must call the Dallas Police Department for assistance in enforcing the law on streets that surround and pass through the seminary's campus.

C.S.H.B. 95 allows the seminary to enter into a mutual assistance agreement with the City of Dallas giving a campus police officer of the seminary the authority to do the officer's job by changing the requirement under which a private institute of higher education is authorized to enter into a mutual assistance agreement with one or more local municipalities in which the institution's peace officers and the municipal peace officers assist each other in enforcing state or local law.

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.H.B. 95 amends the Education Code to change the provisions under which a private institution of higher education is authorized to enter into a mutual assistance agreement with one or more local municipalities in which the institution's peace officers and the municipal peace officers assist each other in enforcing state or local law. The bill removes the requirement that such an institution have a fall head count enrollment of more than 10,000 students and requires that property under the institution's control and jurisdiction be contiguous to or located within a home-rule municipality that has a population of 1.18 million or more and be located predominantly in a county that has a total area of less than 1,000 square miles, rather than contiguous to or located within a municipality with a population of more than one million.

C.S.H.B. 95 clarifies that if the agreement is entered into with the home-rule municipality described above that elects all or part of the municipal governing body from election districts, the designated geographic area in which campus peace officers are authorized to assist municipal officers consists of each election district containing any part of the institution's campus and each election district contiguous to another municipality that contains any part of that campus.

EFFECTIVE DATE

On passage, or, if the act does not receive the necessary vote, the act takes effect September 1, 2009.

COMPARISON OF ORIGINAL AND SUBSTITUTE

C.S.H.B. 95 differs from the original by requiring, as a condition for the authority of a private institution of higher education to enter into a mutual assistance agreement with one or more local

municipalities, that the institution have property under its control and jurisdiction that is contiguous to or located within the boundaries of a home-rule municipality that has a population of 1.18 million or more and is located predominantly in a county that has a total area of less than 1,000 square miles, whereas the original required that the property be contiguous to or located within a municipality with a population of more than one million.