

BILL ANALYSIS

Senate Research Center
81R7873 KEL-D

S.B. 1504
By: Whitmire
Criminal Justice
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As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Presently, the territorial limits of a municipality grant a municipal court exclusive original territorial limitations on law enforcement capabilities. At times, due to the difficulty of determining appropriate jurisdiction for a largely populated municipality and a contiguous municipality, law enforcement encounter undue strain.

As proposed, S.B. 1504 authorizes a municipality with a population of 1.9 million or more and another municipality contiguous to that municipality to enter into agreements for concurrent jurisdiction. This act applies only to offenses punishable by a fine and committed on the boundary of those municipalities or within 200 yards of that boundary, thus eliminating the uncertainty in determining appropriate jurisdiction.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Article 4.14, Code of Criminal Procedure, by adding Subsection (f), to authorize a municipality with a population of 1.9 million or more and another municipality contiguous to that municipality to enter into an agreement providing concurrent jurisdiction for all criminal cases arising from offenses under state law that are committed on the boundary of those municipalities or within 200 yards and punishable by fine only.

SECTION 2. Amends Chapter 13, Code of Criminal Procedure, by adding Article 13.045, as follows:

Art. 13.045. ON THE BOUNDARIES OF CERTAIN MUNICIPALITIES. Authorizes an offense punishable by fine only that is committed on the boundary, or within 200 yards of the boundary, of contiguous municipalities that have entered into an agreement authorized by Article 4.14(f) and Section 29.003(h), Government Code, to be prosecuted in either of those municipalities.

SECTION 3. Amends Section 29.003, Government Code, by adding Subsection (h), to authorize a municipality with a population of 1.9 million or more and another municipality contiguous to that municipality to enter into an agreement providing concurrent jurisdiction for the municipal courts of either jurisdiction for all criminal cases arising from offenses under state law that are committed on the boundary of those municipalities or within 200 yards of that boundary and punishable by fine only.

SECTION 4. Makes application of this Act prospective.

SECTION 5. Effective date: September 1, 2009.