

By: Nichols  
(Otto, White)

S.B. No. 1378

A BILL TO BE ENTITLED

AN ACT

relating to the authority of the Alabama-Coushatta Indian Tribe to commission peace officers.

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

SECTION 1. Chapter 2, Code of Criminal Procedure, is amended by adding Article 2.126 to read as follows:

Art. 2.126. PEACE OFFICERS COMMISSIONED BY THE ALABAMA-COUSHATTA INDIAN TRIBE. (a) The tribal council of the Alabama-Coushatta Indian Tribe is authorized to employ and commission peace officers for the purpose of enforcing state law within the boundaries of the tribe's reservation.

(b) Within the boundaries of the tribe's reservation, a peace officer commissioned under this article:

(1) is vested with all the powers, privileges, and immunities of peace officers;

(2) may, in accordance with Chapter 14, arrest without a warrant any person who violates a law of the state; and

(3) may enforce all traffic laws on streets and highways.

(c) Outside the boundaries of the tribe's reservation, a peace officer commissioned under this article is vested with all the powers, privileges, and immunities of peace officers and may arrest any person who violates any law of the state if the peace officer:

1           (1) is summoned by another law enforcement agency to  
2 provide assistance; or

3           (2) is assisting another law enforcement agency.

4           (d) Any officer assigned to duty and commissioned under this  
5 article shall take and file the oath required of peace officers and  
6 shall execute and file a good and sufficient bond in the sum of  
7 \$1,000, payable to the governor, with two or more good and  
8 sufficient sureties, conditioned that the officer will fairly,  
9 impartially, and faithfully perform the duties as may be required  
10 of the officer by law. The bond may be sued on from time to time in  
11 the name of the person injured until the whole amount is recovered.

12           (e) Any person commissioned under this article must:

13           (1) meet the minimum standards required of peace  
14 officers by the commission relating to competence, reliability,  
15 education, training, morality, and physical and mental health; and

16           (2) meet all standards for certification as a peace  
17 officer by the Commission on Law Enforcement Officer Standards and  
18 Education.

19           (f) A peace officer commissioned under this article is not  
20 entitled to state benefits normally provided by the state to a peace  
21 officer.

22           SECTION 2. This Act takes effect September 1, 2011.