

1-1 By: Nichols S.B. No. 1378
1-2 (In the Senate - Filed March 9, 2011; March 22, 2011, read
1-3 first time and referred to Committee on Criminal Justice;
1-4 April 18, 2011, reported favorably by the following vote: Yeas 7,
1-5 Nays 0; April 18, 2011, sent to printer.)

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

1-8 relating to the authority of the Alabama-Coushatta Indian Tribe to
1-9 commission peace officers.

1-10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-11 SECTION 1. Chapter 2, Code of Criminal Procedure, is
1-12 amended by adding Article 2.126 to read as follows:

1-13 Art. 2.126. PEACE OFFICERS COMMISSIONED BY THE
1-14 ALABAMA-COUSHATTA INDIAN TRIBE. (a) The tribal council of the
1-15 Alabama-Coushatta Indian Tribe is authorized to employ and
1-16 commission peace officers for the purpose of enforcing state law
1-17 within the boundaries of the tribe's reservation.

1-18 (b) Within the boundaries of the tribe's reservation, a
1-19 peace officer commissioned under this article:

1-20 (1) is vested with all the powers, privileges, and
1-21 immunities of peace officers;

1-22 (2) may, in accordance with Chapter 14, arrest without
1-23 a warrant any person who violates a law of the state; and

1-24 (3) may enforce all traffic laws on streets and
1-25 highways.

1-26 (c) Outside the boundaries of the tribe's reservation, a
1-27 peace officer commissioned under this article is vested with all
1-28 the powers, privileges, and immunities of peace officers and may
1-29 arrest any person who violates any law of the state if the peace
1-30 officer:

1-31 (1) is summoned by another law enforcement agency to
1-32 provide assistance; or

1-33 (2) is assisting another law enforcement agency.

1-34 (d) Any officer assigned to duty and commissioned under this
1-35 article shall take and file the oath required of peace officers, and
1-36 shall execute and file a good and sufficient bond in the sum of
1-37 \$1,000, payable to the governor, with two or more good and
1-38 sufficient sureties, conditioned that the officer will fairly,
1-39 impartially, and faithfully perform the duties as may be required
1-40 of the officer by law. The bond may be sued on from time to time in
1-41 the name of the person injured until the whole amount is recovered.

1-42 (e) Any person commissioned under this article must:

1-43 (1) meet the minimum standards required of peace
1-44 officers by the commission relating to competence, reliability,
1-45 education, training, morality, and physical and mental health; and

1-46 (2) meet all standards for certification as a peace
1-47 officer by the Commission on Law Enforcement Officer Standards and
1-48 Education.

1-49 (f) A peace officer commissioned under this article is not
1-50 entitled to state benefits normally provided by the state to a peace
1-51 officer.

1-52 SECTION 2. This Act takes effect September 1, 2011.

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