

## **BILL ANALYSIS**

H.B. 1178  
By: Gooden  
Criminal Jurisprudence  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

Interested parties note that the territorial limits of a rural city located on a county line have long been established through the annexation of property, which has created areas in which half of a roadway is located in a city and the other half is located in the county and other cases in which property is located in the city but the roadway located in front of the property is not. Meanwhile, citizens are paying city taxes and expect police service both for their property and the road in front of their property. Critics assert that this creates an impossible situation for police and courts in determining the exact location of the occurrence of an incident for jurisdiction purposes. While current law addresses jurisdiction issues with respect to county lines, there is no such provision for cities. H.B. 1178 seeks to clarify territorial limits of a municipality with respect to highway or street segments located in or abutting property located in a municipality.

### **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**

H.B. 1178 amends the Code of Criminal Procedure to specify, for the purposes of a municipal court's concurrent jurisdiction with the justice court of a precinct in which the municipality is located in certain criminal cases arising under state law, that the territorial limits of a municipality include the entire width of a segment of highway or street that is partially located in the municipality or a segment of highway or street that abuts property located in the municipality. The bill specifies, for purposes of a provision authorizing certain peace officers to make an arrest outside of the officer's jurisdiction, that the jurisdiction of a peace officer employed by a municipality includes the area included in the territorial limits of the municipality under the bill's provisions. The bill specifies, for purposes of the requirement that a complaint filed in municipal court allege that the offense was committed in the territorial limits of the municipality in which the complaint is made, that the territorial limits include the area included in the territorial limits of the municipality under the bill's provisions.

H.B. 1178 amends the Government Code to specify, for purposes of a municipal court's concurrent jurisdiction with the justice court of a precinct in which the municipality is located in certain criminal cases arising under state law that arise within the municipality's territorial limits, that the territorial limits include the area included in the territorial limits of the municipality under the bill's provisions.

### **EFFECTIVE DATE**

September 1, 2013.