

By: Spitzer

H.B. No. 538

Substitute the following for H.B. No. 538:

By: Herrero

C.S.H.B. No. 538

A BILL TO BE ENTITLED

AN ACT

1
2 relating to judicial and law enforcement authority in certain
3 municipalities on a segment of a highway or street that abuts
4 property located in the municipality.

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

6 SECTION 1. Article 4.14, Code of Criminal Procedure, is
7 amended by adding Subsection (h) to read as follows:

8 (h) For the purposes of Subsection (b)(1), the territorial
9 limits of a municipality with a population of less than 2,000 that
10 is located in two counties include:

11 (1) the entire width of a segment of highway or street,
12 as defined by Section 541.302, Transportation Code, that is
13 partially located in the municipality; or

14 (2) a segment of highway or street, as defined by
15 Section 541.302, Transportation Code, that abuts property located
16 in the municipality.

17 SECTION 2. Article 14.03(g), Code of Criminal Procedure, is
18 amended by adding Subdivision (4) to read as follows:

19 (4) For purposes of Subdivision (2), the jurisdiction
20 of a peace officer employed by a municipality described by Article
21 4.14(h) includes the area included in the territorial limits of the
22 municipality under that article.

23 SECTION 3. Article 45.019, Code of Criminal Procedure, is
24 amended by adding Subsection (h) to read as follows:

1 (h) A complaint filed in municipal court in a municipality
2 described by Article 4.14(h) must allege that the offense was
3 committed in the territorial limits of the municipality, which
4 include the area described by that article, in which the complaint
5 is made.

6 SECTION 4. Section 29.003, Government Code, is amended by
7 adding Subsection (j) to read as follows:

8 (j) For the purposes of Subsection (b), the territorial
9 limits of a municipality described by Article 4.14(h), Code of
10 Criminal Procedure, include the area described by that article.

11 SECTION 5. The changes in law made by this Act apply only to
12 an offense committed on or after the effective date of this Act. An
13 offense committed before the effective date of this Act is governed
14 by the law in effect on the date the offense was committed, and the
15 former law is continued in effect for that purpose. For purposes of
16 this section, an offense was committed before the effective date of
17 this Act if any element of the offense occurred before that date.

18 SECTION 6. This Act takes effect immediately if it receives
19 a vote of two-thirds of all the members elected to each house, as
20 provided by Section 39, Article III, Texas Constitution. If this
21 Act does not receive the vote necessary for immediate effect, this
22 Act takes effect September 1, 2015.