

By: Spitzer

H.B. No. 538

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to municipal judicial and law enforcement authority on a  
3 segment of a highway or street that abuts property located in a  
4 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 (b-1) to read as follows:

8 (b-1) For the purposes of Subsection (b), the territorial  
9 limits of a municipality include:

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

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

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

18 (4) For purposes of Subdivision (2), the jurisdiction  
19 of a peace officer employed by a municipality includes the area  
20 included in the territorial limits of the municipality under  
21 Article 4.14(b-1).

22 SECTION 3. Article 45.019(c), Code of Criminal Procedure,  
23 is amended to read as follows:

24 (c) A complaint filed in municipal court must allege that

1 the offense was committed in the territorial limits of the  
2 municipality, which include the area described by Article  
3 4.14(b-1), in which the complaint is made.

4 SECTION 4. Section 29.003, Government Code, is amended by  
5 adding Subsection (b-1) to read as follows:

6 (b-1) For the purposes of Subsection (b), the territorial  
7 limits of a municipality include the area described by Article  
8 4.14(b-1), Code of Criminal Procedure.

9 SECTION 5. The changes in law made by Article 4.14(b-1),  
10 Code of Criminal Procedure, and Section 29.003(b-1), Government  
11 Code, as added by this Act, and Article 45.019(c), Code of Criminal  
12 Procedure, as amended by this Act, apply only to an offense  
13 committed on or after the effective date of this Act. An offense  
14 committed before the effective date of this Act is governed by the  
15 law in effect on the date the offense was committed, and the former  
16 law is continued in effect for that purpose. For purposes of this  
17 section, an offense was committed before the effective date of this  
18 Act if any element of the offense occurred before that date.

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