

## **BILL ANALYSIS**

C.S.H.B. 2363

By: Patterson

Homeland Security, Public Safety & Veterans' Affairs  
Committee Report (Substituted)

### **BACKGROUND AND PURPOSE**

The bill author has informed the committee that local water districts across the state, such as the Elm Ridge Water District, lack certain jurisdictional authority for the district's commissioned peace officers, resulting in difficulty for the officers in carrying out certain law enforcement duties. Under current state law, a peace officer commissioned by a water district who is outside of the officer's jurisdiction does not have the authority to arrest without a warrant a person who commits an offense within the officer's presence or view. The bill author has also informed the committee that this lack of authority often results in an officer within a district's boundaries having to stop their pursuit of a person who commits an offense within the officer's presence or view once the officer reaches the district's jurisdictional boundaries. C.S.H.B. 2363 seeks to address these issues by expanding the authority of peace officers commissioned by water districts.

### **CRIMINAL JUSTICE IMPACT**

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

### **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**

C.S.H.B. 2363 amends the Code of Criminal Procedure to authorize a licensed peace officer commissioned by a water control and improvement district who is outside of the officer's jurisdiction to arrest without a warrant a person who commits any offense within the officer's presence or view, except that such an officer who is outside of that officer's jurisdiction may arrest a person for a Transportation Code offense involving a violation of the rules of the road only if the offense is committed in a county with a population of 500,000 or more in which the district employing the peace officer is located.

### **EFFECTIVE DATE**

September 1, 2025.

### **COMPARISON OF INTRODUCED AND SUBSTITUTE**

While C.S.H.B. 2363 may differ from the introduced in minor or nonsubstantive ways, the following summarizes the substantial differences between the introduced and committee substitute versions of the bill.

Whereas the introduced established that a licensed peace officer commissioned by a water control and improvement district who is outside of that officer's jurisdiction may arrest a person for a Transportation Code offense involving a violation of the rules of the road committed within the officer's presence or view only if the offense is committed in the county or counties in which the district employing the peace officer is located, the substitute instead establishes that such an officer may do so only if the offense is committed in a county with a population of 500,000 or more in which the district employing the peace officer is located.