

By: Hancock

S.B. No. 1271

A BILL TO BE ENTITLED

AN ACT

relating to the concurrent jurisdiction of this state over United States military installations with respect to certain subject matters.

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

SECTION 1. Subchapter B, Chapter 2204, Government Code, is amended by adding Section 2204.104 to read as follows:

Sec. 2204.104. AUTHORITY TO ACCEPT CONCURRENT JURISDICTION OF THIS STATE OVER UNITED STATES MILITARY INSTALLATIONS. (a) In this section:

(1) "Political subdivision" includes a municipality, county, or any special-purpose district or authority.

(2) "State agency" means a state agency in any branch of state government.

(3) "Status offense" means conduct that a child commits that would not, under state law, be an offense if committed by an adult.

(b) On written application of an authorized representative of the United States to the governor, the governor, in the name and on behalf of this state, may accept the establishment of concurrent jurisdiction of this state with the United States over land in this state owned or acquired by the United States under this subchapter for a military purpose authorized by Section 2204.101. An application may seek full or partial concurrent jurisdiction, and

1 the proposal may include land where no federal jurisdiction exists
2 or land where this state previously ceded jurisdiction to the
3 United States.

4 (c) The application under Subsection (b) must:

5 (1) state the name and position of the authorized
6 representative and identify the federal law authorizing the
7 representative to bind the United States in transactions involving
8 the jurisdiction of the United States;

9 (2) subject to Subdivision (3), state the subject
10 matter over which concurrent jurisdiction is being established;

11 (3) if the application is submitted for the purpose of
12 establishing concurrent jurisdiction over juvenile delinquency and
13 status offenses, expressly state that purpose;

14 (4) be accompanied by proper evidence of the ownership
15 or acquisition of the land;

16 (5) include or have attached an accurate description
17 by metes and bounds of the land that is the subject of the
18 application; and

19 (6) state whether the United States is applying for
20 the inclusion of, under the same terms of concurrent jurisdiction
21 sought in the application, any future acquisition of land
22 contiguous with land for which concurrent jurisdiction is
23 established or is proposed to be established under this section.

24 (d) The governor's acceptance under this section must:

25 (1) be written; and

26 (2) specify each element of the application that the
27 governor accepts, including:

1 (A) each subject matter over which concurrent
2 jurisdiction is being established; and

3 (B) whether the governor accepts the inclusion of
4 future acquisitions of land as described by Subsection (c)(6).

5 (e) Except as provided by Subsection (f), the establishment
6 of concurrent jurisdiction under this section takes effect on the
7 date on which the governor files the following documents for
8 recording with the secretary of state:

9 (1) the application received under Subsection (b),
10 including the metes and bounds of the land; and

11 (2) the governor's written acceptance under Subsection
12 (d).

13 (f) If the governor accepts concurrent jurisdiction for
14 future acquisitions of land as described by Subsection (c)(6), the
15 concurrent jurisdiction over the acquired land:

16 (1) takes effect only if:

17 (A) notice of the inclusion is provided to the
18 governor, including an accurate description by metes and bounds of
19 the acquired land; and

20 (B) the governor files for recording with the
21 secretary of state the documents described by Paragraph (A); and

22 (2) takes effect on the date the governor files the
23 documents under Subdivision (1)(B).

24 (g) After recording the documents filed under Subsection
25 (e) or (f)(1)(B), the secretary of state shall:

26 (1) provide a certified copy of the documents to the
27 authorized representative who applied under Subsection (b) or

1 otherwise the person who provided notice under Subsection (f); and
2 (2) file the documents for recording with each county
3 clerk of the county in which the land that is the subject of the
4 application or notice is located.

5 (h) On the establishment of concurrent jurisdiction over
6 land under this section, a state agency or political subdivision
7 may enter into a memorandum of understanding with any officer or
8 agency of the United States for the purpose of coordinating and
9 assigning duties with respect to the concurrent jurisdiction.

10 (i) Any establishment of concurrent jurisdiction under this
11 section must include, at minimum, the concurrent jurisdiction
12 retained under Section [2204.103](#).

13 (j) This state is not liable for acts or omissions occurring
14 on land over which concurrent jurisdiction is established under
15 this section.

16 SECTION 2. The heading to Section [2204.103](#), Government
17 Code, is amended to read as follows:

18 Sec. 2204.103. CESSION OF JURISDICTION TO UNITED STATES;
19 RETENTION OF AUTHORITY TO EXECUTE LEGAL PROCESS.

20 SECTION 3. This Act takes effect immediately if it receives
21 a vote of two-thirds of all the members elected to each house, as
22 provided by Section [39](#), Article III, Texas Constitution. If this
23 Act does not receive the vote necessary for immediate effect, this
24 Act takes effect September 1, 2025.