

BILL ANALYSIS

Senate Research Center

S.B. 270
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Intergovernmental Relations
3-3-97
As Filed

DIGEST

Currently, medical staff, patients, visitors, and other hospital employees are placed at risk as violent incidents at hospitals increase in frequency. Some hospitals have established police agencies under Chapter 51, Education Code, while others hire off-duty police officers and/or security officers. The Education Code does have provisions for hospitals to acquire police agencies if that hospital qualifies as an institution of higher education. Other hospitals are authorized to hire city police officers if the city has a population of more than 1,200,000. Hospitals that utilize security officers licensed under the Texas Private Investigators and Private Security Act have found this to be inefficient because security officers are only authorized to make citizen's arrests. The goal of S.B. 270 is to permit hospitals in municipalities with populations of 45,000 or more to commission peace officers.

PURPOSE

As proposed, S.B. 270 outlines provisions relating to peace officers of hospitals in certain municipalities.

RULEMAKING AUTHORITY

This bill does not grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Chapter 311A, Health and Safety Code, by adding Section 311.004, as follows:

Sec. 311.004. PEACE OFFICERS OF HOSPITALS IN CERTAIN MUNICIPALITIES. Authorizes the governing board of a hospital in a municipality with a population of 45,000 or more to employ and commission peace officers to protect the hospital. Requires a hospital that commissions a peace officer to pay all certification or licensing fees for the peace officer license charged by the Commission on Law Enforcement Officer Standards and Education. Sets forth the areas included in the primary jurisdiction of a peace officer commissioned by a hospital. Sets forth the authorizations of a peace officer within the peace officer's primary jurisdiction. Sets forth the instances in which a peace officer is vested with all the powers, privileges, and immunities of peace officers and is authorized to arrest any person who violates any law of this state. Defines "hospital."

SECTION 2. Amends Article 2.12, Code of Criminal Procedure, as amended by Chapters 621 and 729, Acts of the 74th Legislature, Regular Session, 1995, to add officers commissioned by a hospital under Section 311.004, Health and Safety Code to the list of designated peace officers. Makes conforming and nonsubstantive changes.

SECTION 3. Emergency clause.
Effective date: upon passage.