

BILL ANALYSIS

Senate Research Center
76R518 KLA-D

H.B. 165
By: Chisum (TBA)
Border Affairs - Special
4/22/1999
Engrossed

DIGEST

This legislation was requested by the City of Texhoma, a small city on the Texas-Oklahoma border, whose only law enforcement with jurisdiction in Texas is the Sherman County sheriff, 20 miles away. Texhoma's municipal police force is composed of officers commissioned and licensed by Oklahoma, not Texas. As a result, the Oklahoma officers cannot enforce city ordinances or Texas state law in the portion of the city located on the Texas side of the state line. This bill would authorize peace officers from adjoining states to enforce the law in a bordering municipality in this state.

PURPOSE

As proposed, H.B. 165 authorizes peace officers from adjoining states to enforce the law in a bordering municipality in this state.

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 Article 2.124, Code of Criminal Procedure, to provide that a commissioned peace officer of a state of the United States of America adjoining this state, while the officer is in this state, has the same powers, duties, and immunities as a peace officer of this state who is acting in the discharge of an official duty, but only in certain areas and at the time the peace officer is regularly assigned to duty in a county, parish, or municipality that adjoins this state. Authorizes a peace officer described by this subsection to enforce the ordinances of a Texas municipality after the governing body of the municipality authorizes that enforcement by a majority vote in an open meeting. Makes conforming and nonsubstantive changes.

SECTION 2. Effective date: September 1, 1999.

SECTION 3. Emergency clause.