

BILL ANALYSIS

Senate Research Center

S.B. 1550
By: Nelson
Criminal Justice
5/25/2021
Enrolled

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Current law provides airports with authorization to employ general personnel, including security personnel who are not commissioned peace officers. Current law is not clear, however, that airport governing bodies, including airports governed by a joint airport board, may appoint peace officers.

S.B. 1550 clarifies in statute that these entities may appoint peace officers with the same privileges as commissioned peace officers of incorporated cities. S.B. 1550 also removes outdated terminology and eliminates references to non-existent agencies. Additionally, it eliminates unnecessary bond requirements by permitting officers appointed by an airport governing board to submit to an oath like all other commissioned peace officers.

S.B. 1550 amends current law relating to airport police forces, including the authority to commission peace officers and the rights, privileges, and duties of those officers.

RULEMAKING AUTHORITY

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

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Article 2.12, Code of Criminal Procedure, as follows:

Art. 2.12. WHO ARE PEACE OFFICERS. Provides that officers commissioned under Chapter 23, Transportation Code, are peace officers. Deletes existing text providing that airport police officers commissioned by a city with a population of more than 1.18 million located primarily in a county with a population of 2 million or more that operates an airport that serves commercial air carriers and airport security personnel commissioned as peace officers by the governing body of any political subdivision of this state, other than a city described by Subdivision (11) (relating to airport police officers commissioned by a certain city), that operates an airport that serves commercial air carriers are peace officers. Makes nonsubstantive changes.

SECTION 2. Amends the heading to Chapter 23, Transportation Code, to read as follows:

CHAPTER 23. AIRPORT POLICE FORCES

SECTION 3. Amends Section 23.001, Transportation Code, as follows:

Sec. 23.001. New heading: ESTABLISHMENT OF AIRPORT POLICE FORCE; COMMISSIONING OF PEACE OFFICERS. Authorizes the governing body of a joint board, as defined by Section 22.071 (Definitions), or the governing body of a political subdivision that operates an airport served by an air carrier certificated by the Federal Aviation Administration, rather than certificated by the Civil Aeronautics Board, or the United States Department of Transportation to:

- (1) establish an airport police force, rather than an airport security force; and

(2) commission and employ a peace officer, subject to Chapter 1701 (Law Enforcement Officers), Occupations Code, if the employee takes and files the oath required of peace officers, rather than employ airport security personnel.

Makes nonsubstantive changes.

SECTION 4. Repealer: Section 23.002 (Commissioning of Employees as Peace Officers), Transportation Code.

Repealer: Section 23.003 (Authority of Employees Commissioned as Peace Officers), Transportation Code.

SECTION 5. Effective date: September 1, 2021.