

Chapter 1229

AN ACT

1
2 relating to providing police and security services for certain
3 post-secondary educational institutions.

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

5 SECTION 1. Subsections (a) and (c), Section 51.2125,
6 Education Code, are amended to read as follows:

7 (a) This section applies only to a private institution of
8 higher education that [~~has a fall head count enrollment of more than~~
9 ~~10,000 students and that~~] has under its control and jurisdiction
10 property that is contiguous to, or located in any part within the
11 boundaries of, a home-rule municipality that has [~~with~~] a
12 population of 1.18 million or more and is located predominantly in a
13 county that has a total area of less than 1,000 square miles [~~than~~
14 ~~one million~~]. For purposes of this section, a private institution
15 of higher education is a private or independent institution of
16 higher education as defined by Section 61.003.

17 (c) A mutual assistance agreement authorized by this
18 section may designate the geographic area in which the campus peace
19 officers are authorized to provide assistance to the peace officers
20 of the municipality, except that if the agreement is entered into
21 with a municipality described by Subsection (a) that elects all or
22 part of the municipality's governing body from election districts
23 [~~with a population of more than one million~~], the designated
24 geographic area consists of each of the election districts of the

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1 municipality's governing body that contains any part of the campus
2 of the institution and each of the election districts of the
3 governing body that is contiguous to another municipality that
4 contains any part of the campus of the institution.

5 SECTION 2. Subsections (a), (c), (d), (f), and (g), Section
6 51.214, Education Code, are amended to read as follows:

7 (a) In any municipality with a population of 1.18 million or
8 more, the governing board of a private, nonprofit medical
9 corporation, or of the parent corporation of such medical
10 corporation, that provides police or security services for an
11 institution of higher education or a private postsecondary
12 educational institution [~~and other entities~~] located within one of
13 the medical corporation's or parent corporation's [~~the same~~]
14 medical complexes [~~complex~~], or that provides police or security
15 services for another medical complex legally affiliated with or
16 owned, leased, managed, or controlled by the [~~a branch of that~~]
17 medical corporation or parent corporation, may employ and
18 commission police or security personnel to enforce the law of this
19 state within the jurisdiction designated by Subsection (c).

20 (c) The jurisdiction of an officer commissioned under this
21 section is limited to:

22 (1) property under the control and jurisdiction of the
23 private, nonprofit medical corporation or its parent corporation or
24 any entity legally affiliated with or owned, leased, managed, or
25 controlled by the medical corporation or its parent corporation;
26 [~~and~~]

27 (2) a street or alley that abuts the property or an

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1 easement in or a right-of-way over or through the property
2 described by Subdivision (1); and

3 (3) any other location in which the officer is
4 performing duties assigned to the officer by the private, nonprofit
5 medical corporation or its parent corporation, regardless of
6 whether the officer is on property under the control and
7 jurisdiction of the medical corporation or its parent corporation,
8 provided that the assigned duties are consistent with the mission
9 of the medical corporation or its parent corporation and are being
10 performed within a county in which the medical corporation or its
11 parent corporation owns real property.

12 (d) An officer commissioned [~~by a medical corporation~~]
13 under this section is not entitled to compensation or benefits
14 provided by this state or a political subdivision of this state.

15 (f) A [~~medical corporation may not commission a~~] person may
16 not be commissioned under this section unless the person obtains a
17 peace officer license issued by the Commission on Law Enforcement
18 Officer Standards and Education. The employing medical corporation
19 or parent corporation shall pay to the Commission on Law
20 Enforcement Officer Standards and Education on behalf of an
21 employee any fees that are necessary to obtain a required license.

22 (g) A person's commission and any authority to act as an
23 officer under this section are automatically revoked if the
24 person's employment [~~with a medical corporation~~] is terminated for
25 any reason.

26 SECTION 3. This Act takes effect immediately if it receives
27 a vote of two-thirds of all the members elected to each house, as

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1 provided by Section 39, Article III, Texas Constitution. If this
2 Act does not receive the vote necessary for immediate effect, this
3 Act takes effect September 1, 2009. _____

David Neuharth
President of the Senate

John Strawn
Speaker of the House

I hereby certify that S.B. No. 1735 passed the Senate on April 30, 2009, by the following vote: Yeas 31, Nays 0; and that the Senate concurred in House amendment on May 30, 2009, by the following vote: Yeas 31, Nays 0. _____

Patricia Spaw
Secretary of the Senate

I hereby certify that S.B. No. 1735 passed the House, with amendment, on May 27, 2009, by the following vote: Yeas 145, Nays 3, one present not voting. _____

Robert Haney
Chief Clerk of the House

Approved:

19 JUN '09
Date

Rick Perry
Governor

FILED IN THE OFFICE OF THE
SECRETARY OF STATE
2PM O'CLOCK
JUN 19 2009

Colby Shuter III