

TRANSPORTATION CODE

CHAPTER 8. PROTECTING MOVEMENT OF COMMERCE

Sec. 8.001. ISSUANCE OF PROCLAMATION. (a) The governor shall issue a proclamation under this chapter, to prevent interference with commerce, if after investigation the governor determines that:

(1) the movement of commerce by a common carrier of this state or another state is interfered with in violation of Chapter 42, Penal Code; and

(2) local authorities failed to enforce the law.

(b) The proclamation must:

(1) state that the conditions described by Subsection (a) exist; and

(2) describe the territory affected by the proclamation.

Acts 1995, 74th Leg., ch. 165, Sec. 1, eff. Sept. 1, 1995.

Sec. 8.002. EFFECT OF PROCLAMATION. (a) On the issuance of a proclamation under this chapter, the governor shall exercise complete police jurisdiction over the territory described by the proclamation. The exercise of police jurisdiction by the governor supersedes the police authority of a local authority.

(b) The governor may not disturb the exercise of police jurisdiction by a local authority outside the territory described by the proclamation.

Acts 1995, 74th Leg., ch. 165, Sec. 1, eff. Sept. 1, 1995.

Sec. 8.003. ARRESTS. (a) After a proclamation issued under this chapter takes effect, only a peace officer acting under the authority of the governor may make an arrest in the territory described by the proclamation.

(b) A person arrested in the territory described by the proclamation shall be delivered forthwith to the proper authority for trial.

Acts 1995, 74th Leg., ch. 165, Sec. 1, eff. Sept. 1, 1995.

Sec. 8.004. USE OF TEXAS RANGERS. (a) The governor may use the Texas Rangers to enforce this chapter.

(b) If a sufficient number of Texas Rangers are not available, the governor may employ other persons to serve as special rangers.

(c) A special ranger has the same authority as a Texas Ranger and shall be paid the same salary as a Texas Ranger. The salary of a special ranger shall be paid out of appropriations made to the executive office for the payment of rewards and the enforcement of the law.

Acts 1995, 74th Leg., ch. 165, Sec. 1, eff. Sept. 1, 1995.

Sec. 8.005. EFFECT ON DECLARATION OF MARTIAL LAW. (a) A declaration of martial law is not required for the implementation of this chapter.

(b) This chapter does not limit the authority of the governor to declare martial law and call forth the militia to execute the law.

Acts 1995, 74th Leg., ch. 165, Sec. 1, eff. Sept. 1, 1995.