

CHAPTER 115

H.B. No. 633

AN ACT

relating to the commission and duties of school district peace officers.

Be it enacted by the Legislature of the State of Texas:

SECTION 1. Section 21.483, Education Code, is amended to read as follows:

Sec. 21.483. *SCHOOL DISTRICT PEACE OFFICERS* [~~CAMPUS SECURITY PERSONNEL~~]. (a) The board of trustees of any school district may employ *and commission peace officers* [~~campus security personnel~~] for the purpose of carrying out the provisions of this subchapter. *The jurisdiction of a peace officer commissioned under this section shall be determined by the board of trustees and may include all territory in the boundaries of the school district and all property, real and personal, outside the boundaries of the district that is owned, leased, or rented by or otherwise under the control of the school district and the board of trustees that employ the peace officer.*

(b) *In a peace officer's jurisdiction, a peace officer commissioned under this section:*

- (1) *has the powers, privileges, and immunities of peace officers;*
- (2) *may enforce all laws, including municipal ordinances, county ordinances, and state laws; and*
- (3) *may, in accordance with Chapter 52, Family Code, take a juvenile into custody.*

(c) *A school district peace officer may provide assistance to another law enforcement agency. A school district may contract with a political subdivision for the jurisdiction of a school district peace officer to include all territory in the jurisdiction of the political subdivision.*

(d) *A school district peace officer shall perform administrative and law enforcement duties for the school district as determined by the board of trustees of the school district. These duties must include protecting:*

- (1) *the safety and welfare of any person in the jurisdiction of the peace officer; and*
- (2) *the property, real and personal, of the school district.*

(e) *The board of trustees of the district shall determine the scope of the on-duty and off-duty law enforcement activities of school district peace officers. A school district must authorize in writing any off-duty law enforcement activities performed by a school district peace officer.*

(f) *A school district police department and the law enforcement agencies with which it has overlapping jurisdiction shall enter into a memorandum of understanding that outlines reasonable communication and coordination efforts among the department and the agencies.*

~~(g) [and if the board of trustees authorizes any officer to bear arms then they must commission them as peace officers. Any officer commissioned under this section is vested with all the powers, privileges, and immunities of peace officers while on the property under the control and jurisdiction of the district or otherwise in the performance of his duties.] Any officer assigned to duty and commissioned shall take and file the oath required of peace officers, and shall execute and file a good and sufficient bond in the sum of \$1,000, payable to the board of trustees, with two or more good and sufficient sureties, conditioned that he will fairly, impartially, and faithfully perform all the duties that may be required of him by law. The bond may be sued on from time to time in the name of any person injured until the whole amount of the bond is recovered. Any peace officer commissioned under this section must meet all minimum standards for peace officers established by the Commission on Law Enforcement Officer Standards and Education [within one year of his commission, or his commission shall automatically expire].~~

(h) *In this section, "political subdivision" means a county, municipality, special district, school district, junior college district, or other legally constituted political subdivision of the state.*

SECTION 2. Section 52.01(a), Family Code, is amended to read as follows:

(a) A child may be taken into custody:

- (1) pursuant to an order of the juvenile court under the provisions of this subtitle;
- (2) pursuant to the laws of arrest;
- (3) by a law-enforcement officer, *including a school district peace officer commissioned under Section 21.483, Education Code*, if there are reasonable grounds to believe that the child has engaged in delinquent conduct or conduct indicating a need for supervision; or
- (4) by a probation officer if there are reasonable grounds to believe that the child has violated a condition of probation imposed by the juvenile court.

SECTION 3. The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house be suspended, and this rule is hereby suspended, and that this Act take effect and be in force from and after its passage, and it is so enacted.

Passed by the House on April 7, 1993: Yeas 139, Nays 2, 1 present, not voting; passed by the Senate on April 30, 1993: Yeas 28, Nays 0.

Approved May 11, 1993.

Effective May 11, 1993.