

CHAPTER 1000

H.B. No. 2158

AN ACT

relating to granting limited law enforcement authority to certain employees of the Texas Department of Corrections.

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

SECTION 1. Title 108, Revised Statutes, is amended by adding Article 6166g-5 to read as follows:

*Art. 6166g-5. EMPLOYEES; LIMITED LAW ENFORCEMENT POWERS. (a) The director of the Texas Department of Corrections or his designee may authorize employees of the department to transport inmates and to apprehend escapees from the department. An employee acting under authority granted by the director has the same powers and duties as does a peace officer under the laws of this state, except that the employee may not act without receiving express orders from the director or his designee, and may exercise those powers and perform those duties throughout the state but only during duty hours.*

*(b) The department may allow employees who are granted law enforcement authority under this article to assist peace officers in any county of the state if the assistance is requested for the purpose of apprehending an escapee of a municipal or county jail and if the department determines that the assistance will not jeopardize the safety and security of the department and its personnel. An employee who assists a peace officer in the performance of his duties has the same powers and duties as does the officer requesting assistance.*

*(c) An employee of the department is expressly prohibited from enforcing the laws of this state relating to the prevention of misdemeanors and the detention of persons who commit misdemeanors, including laws regulating traffic and the use of state highways.*

*(d) Employees described by Subsection (a) of this article may not be considered peace officers for any purposes other than those specified under this article and are not required to be certified by the Texas Commission on Law Enforcement Officer Standards and Education.*

SECTION 2. 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 May 6, 1987, by the following vote: Yeas 141, Nays 0, 1 present, not voting; and that the House concurred in Senate amendments to H.B. No. 2158 on May 31, 1987, by a non-record vote. Passed by the Senate, with amendments, on May 30, 1987, by the following vote: Yeas 31, Nays 0.

Approved June 19, 1987.

Effective Aug. 31, 1987, 90 days after date of adjournment.