

## CHAPTER 1128

## H.B. No. 957

## AN ACT

relating to the appointment and certification of private university adjunct police officers, their duties and powers, the scope of their employment, and liability for their acts and omissions.

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

SECTION 1. Chapter 2, Code of Criminal Procedure, is amended by adding Article 2.123 to read as follows:

*Art. 2.123. ADJUNCT POLICE OFFICERS. (a) Within counties under 200,000 population, the chief of police of a municipality or the sheriff of the county, if the institution is outside the corporate limits of a municipality, that has jurisdiction over the geographical area of a private institution of higher education, provided the governing board of such institution consents, may appoint up to 50 peace officers who are commissioned under Section 51.212, Education Code, and who are employed by a private institution of higher education located in the municipality or county, to serve as adjunct police officers of the municipality or county. Officers appointed under this article shall aid law enforcement agencies in the protection of the municipality or county in a geographical area that is designated by agreement on an annual basis between the appointing chief of police or sheriff and the private institution.*

*(b) The geographical area that is subject to designation under Subsection (a) of this article may include only the private institution's campus area and an area that*

*(1) is adjacent to the campus of the private institution;*

*(2) does not extend further than a distance of one mile from the perimeter of the campus of the private institution; and*

*(3) is inhabited primarily by students or employees of the private institution.*

*(c) A peace officer serving as an adjunct police officer may make arrests and exercise all authority given peace officers under this code only within the geographical area designated by agreement between the appointing chief of police or sheriff and the private institution.*

*(d) A peace officer serving as an adjunct police officer has all the rights, privileges and immunities of a peace officer but is not entitled to state compensation and retirement benefits normally provided by the state to a peace officer.*

*(e) A person may not serve as an adjunct police officer for a municipality or county unless:*

*(1) the institution of higher education submits the person's application for appointment and certification as an adjunct police officer to the chief of police of the municipality or, if outside a municipality, the sheriff of the county that has jurisdiction over the geographical area of the institution;*

*(2) the chief of police of the municipality or sheriff of the county to whom the application was made issues the person a certificate of authority to act as an adjunct police officer; and*

*(3) the person undergoes any additional training required for that person to meet the training standards of the municipality or county for peace officers employed by the municipality or county.*

*(f) For good cause, the chief of police or sheriff may revoke a certificate of authority issued under this article.*

*(g) A private institution of higher education is liable for any act or omission by a person while serving as an adjunct police officer outside of the campus of the institution in the same manner as the municipality or county governing that geographical area is liable for any act or omission of a peace officer employed by the municipality or county. This subsection shall not be construed to act as a limitation on the liability of a municipality or county for the acts or omissions of a person serving as an adjunct police officer.*

*(h) The employing institution shall pay all expenses incurred by the municipality or county in granting or revoking a certificate of authority to act as an adjunct police officer under this article.*

*(i) This article does not affect any duty of the municipality or county to provide law enforcement services to a geographical area designated under Subsection (a) of this article.*

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 April 9, 1987, by the following vote: Yeas 128, Nays 1, 1 present, not voting; and that the House concurred in Senate amendments to H.B. No. 957 on May 30, 1987, by a non-record vote. Passed by the Senate, with amendments, on May 29, 1987, by the following vote: Yeas 30, Nays 0.

Approved June 20, 1987.

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