

1-1 By: Hancock S.B. No. 1271
1-2 (In the Senate - Filed February 13, 2025; February 28, 2025,
1-3 read first time and referred to Committee on Veteran Affairs;
1-4 April 7, 2025, reported adversely, with favorable Committee
1-5 Substitute by the following vote: Yeas 5, Nays 1; April 7, 2025,
1-6 sent to printer.)

1-7	COMMITTEE VOTE			
1-8		Yea	Nay	Absent
1-9	Hancock	X		
1-10	Parker			X
1-11	Eckhardt		X	
1-12	Gutierrez	X		
1-13	Hagenbuch	X		
1-14	Hall	X		
1-15	Menéndez	X		

1-16 COMMITTEE SUBSTITUTE FOR S.B. No. 1271 By: Hancock

1-17 A BILL TO BE ENTITLED
1-18 AN ACT

1-19 relating to the concurrent jurisdiction of this state over United
1-20 States military installations with respect to certain subject
1-21 matters.

1-22 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-23 SECTION 1. Subchapter B, Chapter 2204, Government Code, is
1-24 amended by adding Section 2204.104 to read as follows:

1-25 Sec. 2204.104. AUTHORITY TO ACCEPT CONCURRENT JURISDICTION
1-26 OF THIS STATE OVER UNITED STATES MILITARY INSTALLATIONS. (a) In
1-27 this section:

1-28 (1) "Political subdivision" includes a municipality,
1-29 county, or any special-purpose district or authority.

1-30 (2) "State agency" means a state agency in any branch
1-31 of state government.

1-32 (3) "Status offense" means conduct that a child
1-33 commits that would not, under state law, be an offense if committed
1-34 by an adult.

1-35 (b) On written application of an authorized representative
1-36 of the United States to the governor, the governor, in the name and
1-37 on behalf of this state, may accept the establishment of concurrent
1-38 jurisdiction of this state with the United States over land in this
1-39 state owned or acquired by the United States under this subchapter
1-40 for a military purpose authorized by Section 2204.101. An
1-41 application may seek full or partial concurrent jurisdiction, and
1-42 the proposal may include land where no federal jurisdiction exists
1-43 or land where this state previously ceded jurisdiction to the
1-44 United States.

1-45 (c) The application under Subsection (b) must:

1-46 (1) state the name and position of the authorized
1-47 representative and identify the federal law authorizing the
1-48 representative to bind the United States in transactions involving
1-49 the jurisdiction of the United States;

1-50 (2) subject to Subdivision (3), state each subject
1-51 matter over which concurrent jurisdiction is being established;

1-52 (3) if the application is submitted for the purpose of
1-53 establishing concurrent jurisdiction over juvenile delinquency and
1-54 status offenses, expressly state that purpose;

1-55 (4) be accompanied by proper evidence of the ownership
1-56 or acquisition of the land; and

1-57 (5) include or have attached an accurate description
1-58 by metes and bounds of the land that is the subject of the
1-59 application.

1-60 (d) The governor's acceptance under this section must:

(1) be written;
 (2) specify each element of the application that the governor accepts, including each subject matter over which concurrent jurisdiction is being established; and

(3) include a procedure allowing for the termination of the concurrent jurisdiction that is the subject of the application.

(e) The governor may negotiate with the applicant the specific details regarding the termination procedure required by Subsection (d)(3).

(f) The establishment of concurrent jurisdiction under this section takes effect on the date on which the governor files the following documents for recording with the secretary of state:

(1) the application received under Subsection (b), including the metes and bounds of the land; and

(2) the governor's written acceptance under Subsection (d).

(g) After recording the documents filed under Subsection (f), the secretary of state shall:

(1) provide a certified copy of the documents to the authorized representative who applied under Subsection (b); and

(2) file the documents for recording with each county clerk of the county in which the land that is the subject of the application or notice is located.

(h) On the establishment of concurrent jurisdiction over land under this section, a state agency or political subdivision may enter into a memorandum of understanding with any officer or agency of the United States for the purpose of coordinating and assigning duties with respect to the concurrent jurisdiction.

(i) Any establishment of concurrent jurisdiction under this section must include, at minimum, the concurrent jurisdiction retained under Section 2204.103.

(j) A state agency, a political subdivision of this state, and any officer, employee, or agent of the state agency or political subdivision is not liable for acts or omissions occurring on land over which concurrent jurisdiction is established under this section.

SECTION 2. The heading to Section 2204.103, Government Code, is amended to read as follows:

Sec. 2204.103. CESSION OF JURISDICTION TO UNITED STATES; RETENTION OF AUTHORITY TO EXECUTE LEGAL PROCESS.

SECTION 3. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2025.

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