

By: Harless

H.B. No. 884

Substitute the following for H.B. No. 884:

By: Holland

C.S.H.B. No. 884

A BILL TO BE ENTITLED

AN ACT

relating to the law enforcement authority of federal border patrol agents.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Article 2.122, Code of Criminal Procedure, is amended by adding Subsection (c-1) to read as follows:

(c-1) In addition to the power granted under Subsection (c), a Border Patrol Agent of the United States Customs and Border Protection has the powers of arrest and search and seizure as to any felony offense under the laws of this state, or any criminal offense under federal law, committed within the boundaries of a county:

(1) adjacent to the Texas-Mexico border or the Gulf of Mexico;

(2) adjacent to a county described by Subdivision (1);  
or

(3) served by an attorney representing the state whose jurisdiction includes a county described by Subdivision (1) or (2).

SECTION 2. As soon as practicable after the effective date of this Act, the office of the attorney general shall give written notice to the commanding authority of each United States border patrol sector in this state regarding the authority granted to border patrol agents by this Act and the counties in that sector in which this authority may be exercised.

SECTION 3. This Act takes effect immediately if it receives

1 a vote of two-thirds of all the members elected to each house, as  
2 provided by Section 39, Article III, Texas Constitution. If this  
3 Act does not receive the vote necessary for immediate effect, this  
4 Act takes effect September 1, 2023.