

## **BILL ANALYSIS**

C.S.S.B. 1551  
By: Estes  
Law Enforcement  
Committee Report (Substituted)

### **BACKGROUND AND PURPOSE**

Since 1981, the Legislature has routinely placed a sunset provision on Section 16.02(h) of the Penal Code and Section 18, Article 18.20 of the Code of Criminal Procedure, both of which relate to the interception and use of wire, oral, or electronic communications. The Legislature has renewed these sections prior to each sunset date.

On September 1, 2005, these provisions are set to expire again. Rather than extending the sunset dates, C.S.S.B. 1551 removes the sunset provisions from Section 16.02 of the Penal Code and Section 18, Article 18.20 of the Code of Criminal Procedure, eliminating the need for the Legislature to revisit these provisions.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

### **ANALYSIS**

C.S.S.B. 1551 repeals Section 16.02(h) of the Penal Code, which provides that Section 16.02 of the Penal Code, prohibiting certain interception, use, or disclosure of wire, oral, or electronic communications, expires on September 1, 2005.

The bill also repeals Section 18, Article 18.20 of the Code of Criminal Procedure, which provides that Article 18.20, regarding certain interception, use, and disclosure of wire, oral, or electronic communications, expires on September 1, 2005.

### **EFFECTIVE DATE**

Upon passage, or, if the Act does not receive the necessary vote, the Act takes effect September 1, 2005.

### **COMPARISON OF ORIGINAL TO SUBSTITUTE**

Senate Bill 1551 repeals only Section 18, Article 18.20 of the Code of Criminal Procedure. C.S.S.B. 1551 repeals Section 18, Article 18.20 of the Code of Criminal Procedure and Section 16.02(h) of the Penal Code.