

By: Hodge, Keel, Escobar

H.B. No. 1239

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the implementation of unified drug enforcement
3 strategies.

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

5 SECTION 1. Section 772.006, Government Code, is amended by
6 adding Subsections (d) and (e) to read as follows:

7 (d) The criminal justice division may not award a grant
8 under this section to a multijurisdictional drug task force.

9 (e) The criminal justice division may award a grant under
10 this section to fund a unified drug enforcement strategy by
11 multiple law enforcement agencies through an interlocal contract
12 made under Chapter 791 and approved by the director of the
13 Department of Public Safety. The contract must require that:

14 (1) the enforcement strategy be under the command and
15 control of the director; and

16 (2) a peace officer who is participating in an
17 activity that is part of the enforcement strategy and who is outside
18 of the jurisdiction of the law enforcement agency served by the
19 officer may make an arrest only if:

20 (A) the officer would otherwise be authorized to
21 make the arrest under Article 14.03, Code of Criminal Procedure; or

22 (B) the officer is in the presence of another
23 peace officer who serves a law enforcement agency with jurisdiction
24 at the place at which the arrest is to be made.

1 SECTION 2. This Act takes effect immediately if it receives
2 a vote of two-thirds of all the members elected to each house, as
3 provided by Section 39, Article III, Texas Constitution. If this
4 Act does not receive the vote necessary for immediate effect, this
5 Act takes effect September 1, 2005.