

1-1 By: Hodge, et al. (Senate Sponsor - Hinojosa) H.B. No. 1239
1-2 (In the Senate - Received from the House April 21, 2005;
1-3 April 22, 2005, read first time and referred to Committee on
1-4 Criminal Justice; May 5, 2005, reported favorably by the following
1-5 vote: Yeas 4, Nays 1; May 5, 2005, sent to printer.)

1-6 A BILL TO BE ENTITLED
1-7 AN ACT

1-8 relating to the implementation of unified drug enforcement
1-9 strategies.

1-10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-11 SECTION 1. Section 772.006, Government Code, is amended by
1-12 adding Subsections (d) and (e) to read as follows:

1-13 (d) The criminal justice division may not award a grant
1-14 under this section to a multijurisdictional drug task force.

1-15 (e) The criminal justice division may award a grant under
1-16 this section to fund a unified drug enforcement strategy by
1-17 multiple law enforcement agencies through an interlocal contract
1-18 made under Chapter 791 and approved by the director of the
1-19 Department of Public Safety. The contract must require that:

1-20 (1) the enforcement strategy be under the command and
1-21 control of the director; and

1-22 (2) a peace officer who is participating in an
1-23 activity that is part of the enforcement strategy and who is outside
1-24 of the jurisdiction of the law enforcement agency served by the
1-25 officer may make an arrest only if:

1-26 (A) the officer would otherwise be authorized to
1-27 make the arrest under Article 14.03(d), Code of Criminal Procedure;
1-28 or

1-29 (B) the officer is in the presence of another
1-30 peace officer who serves a law enforcement agency with jurisdiction
1-31 at the place at which the arrest is to be made.

1-32 SECTION 2. This Act takes effect immediately if it receives
1-33 a vote of two-thirds of all the members elected to each house, as
1-34 provided by Section 39, Article III, Texas Constitution. If this
1-35 Act does not receive the vote necessary for immediate effect, this
1-36 Act takes effect September 1, 2005.

1-37 * * * * *