

By: Farrar

H.B. No. 2428

A BILL TO BE ENTITLED

AN ACT

relating to a prohibition on certain law enforcement profiling based on a person's immigration or nationality status.

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

SECTION 1. Article 2.131, Code of Criminal Procedure, is amended to read as follows:

Art. 2.131. RACIAL PROFILING AND OTHER FORMS OF PROFILING PROHIBITED. (a) A peace officer may not engage in racial profiling.

(b) A peace officer may not:

(1) detain a person based only on the person's immigration status or nationality; or

(2) inquire as to a person's immigration status or nationality except as necessary to establish probable cause for an arrest or otherwise investigate a criminal offense.

SECTION 2. 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, 2007.