

By: Christian

H.B. No. 2998

Substitute the following for H.B. No. 2998:

By: Swinford

C.S.H.B. No. 2998

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the duty of a peace officer to verify the citizenship
3 and immigration status of certain persons.

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

5 SECTION 1. Chapter 2, Code of Criminal Procedure, is
6 amended by adding Article 2.251 to read as follows:

7 Art. 2.251. CITIZENSHIP AND IMMIGRATION STATUS
8 VERIFICATION BY PEACE OFFICER. (a) A peace officer shall verify
9 the citizenship and immigration status of any person who is placed
10 under arrest or detained, including an arrest or detention for an
11 offense under Chapter 49, Penal Code, involving the operation of a
12 motor vehicle.

13 (b) If a peace officer has probable cause to believe the
14 person has committed a violation described by Subsection (a), the
15 officer shall:

16 (1) identify and report the person to United States
17 Citizenship and Immigration Services; or

18 (2) arrest the person for the violation.

19 (c) A local ordinance, regulation, or policy that
20 interferes with the ability of a peace officer to carry out a duty
21 conferred by this article is void.

22 SECTION 2. This Act takes effect immediately if it receives
23 a vote of two-thirds of all the members elected to each house, as
24 provided by Section 39, Article III, Texas Constitution. If this

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- 1 Act does not receive the vote necessary for immediate effect, this
- 2 Act takes effect September 1, 2007.