

By: Christian

H.B. No. 2998

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the duty of a peace officer to verify the immigration
3 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. IMMIGRATION STATUS VERIFICATION BY PEACE
8 OFFICER. (a) A peace officer shall verify the immigration status
9 of any person who is placed under arrest or detained, including an
10 arrest or detention for an offense under Chapter 49, Penal Code, or
11 an offense under the Transportation Code punishable by fine only.

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

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

17 (2) arrest the person for the violation.

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

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

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1 Act takes effect September 1, 2007.