

BILL ANALYSIS

H.B. 819
By: Bonnen
Public Safety
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Currently, national wildlife refuge law enforcement in Texas utilizes the facilities, dispatch, equipment, backup, and emergency assistance of state and local governments and, in most cases, the facilities, equipment, and assistance are provided without cost. However, because wildlife refuge law enforcement is currently required to prosecute cases through the federal court system, most of the funds collected for violations are deposited into the federal treasury and very little is returned to the state and local levels.

This bill would strengthen the relationship of these federal law enforcement officers with state and local law enforcement agencies, enhance officer safety, increase protection of the general public, and create an opportunity to return support for the services rendered to refuge law enforcement by state and local governments. This bill would serve as an additional option for prosecuting offenses and would not require that the officers file cases at the state level.

H.B. 819 grants a commissioned law enforcement officer of the United States Fish and Wildlife Service the powers of arrest, search, and seizure as to any offense under the laws of Texas committed within the boundaries of the National Wildlife Refuge System.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

H.B. 819 amends the Code of Criminal Procedure to grant a commissioned law enforcement officer of the United States Fish and Wildlife Service the powers of arrest, search, and seizure as to any offense under the laws of Texas committed within the boundaries of the National Wildlife Refuge System. The bill establishes that the officer is not a peace officer under Texas law. The bill defines "National Wildlife Refuge System."

EFFECTIVE DATE

On passage, or, if the act does not receive the necessary vote, the act takes effect September 1, 2009.