

BILL ANALYSIS

Senate Research Center
81R3467 SJM-F

S.B. 388
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Criminal Justice
3/2/2009
As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Recently, the flow of money across the Texas/Mexico border has led to the indictment of a number of law enforcement officers in the border region and other areas of the state. Law enforcement corruption resulting from increased levels of gang activity in Texas is inadequately addressed by current law. The Texas Rangers are a division of the Texas Department of Public Safety and perform both criminal investigations and special investigations, as well as a range of other law enforcement activities. Currently, the Rangers have the authority and the responsibility to investigate a wide range of issues, including law enforcement corruption.

As proposed, S.B. 388 amends Chapter 411 (Texas Rangers), Government Code, to create a law enforcement specialty unit within the Texas Rangers with specific authority to investigate law enforcement corruption relating to organized crime and gang activity.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Subchapter A, Chapter 411, Government Code, by adding Section 411.0207, as follows:

Sec. 411.0207. LAW ENFORCEMENT INTEGRITY UNIT. (a) Defines "law enforcement corruption."

(b) Creates a law enforcement integrity unit (unit) within the Texas Department of Public Safety (DPS) to assist in the enforcement of laws relating to law enforcement corruption. Sets forth the required duties and tasks of the unit.

(c) Requires a state agency or local law enforcement agency, to the extent allowed by law, to cooperate with the unit by providing information requested by the unit as necessary to carry out the purposes of this section. Provides that information disclosed under this subsection is confidential and not subject to disclosure under Chapter 552 (Public Information).

(d) Authorizes the Public Safety Commission to transfer administration of the unit from DPS to the office of the inspector general (OIG) if an inspector general position is created and the inspector general investigates the affairs of certain agencies.

(e) Sets forth the required actions and conditions if the commission transfers the unit.

SECTION 2. Requires DPS, not later than December 1, 2010, to establish the unit under Section 411.0207, Government Code, as added by this Act.

SECTION 3. Effective date: upon passage or September 1, 2009.