

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 81ST LEGISLATIVE REGULAR SESSION

May 20, 2009

TO: Honorable John Whitmire, Chair, Senate Committee on Criminal Justice

FROM: John S. O'Brien, Director, Legislative Budget Board

IN RE: HB3201 by King, Phil (Relating to the designation of certain fire marshals and related officers, inspectors, and investigators and certain railroad peace officers as peace officers.),
As Engrossed

No significant fiscal implication to the State is anticipated.

The bill would amend the Code of Criminal Procedure, Article 2.12 to designate certain fire marshals and related officers, inspectors, and investigators as peace officers. The bill would also amend the Code of Criminal Procedure by stating that railroad peace officers appointed by the Director of the Department of Public Safety (DPS) are subject to the limitations imposed by that particular article. The bill deletes the text that limits the number of appointed railroad peace officers to 250. The bill states that each appointed rail road peace officer has all of the powers, privileges, and immunities of a peace officer. The bill would take effect immediately if it receives a two-thirds vote of all the members in each house, otherwise it would take effect on September 1, 2009. The Texas Commission on Law Enforcement Officer Standards and Education and the Texas Commission on Fire Protection anticipate no significant fiscal impact to their agencies.

Local Government Impact

The bill would include fire marshals, and related officers, inspectors, or investigators commissioned by a county as defined by Chapter 352 of the Local Government Code, to be designated as a peace officer. The fiscal impact to local entities associated with implementing the provisions of the bill is not anticipated to be significant.

Source Agencies: 407 Commission on Law Enforcement Officer Standards and Education, 411
Commission on Fire Protection

LBB Staff: JOB, ESi, GG, AI, TP