

BILL ANALYSIS

H.B. 3423
By: Lozano
Criminal Jurisprudence
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Interested parties note that currently, if someone is committing certain crimes against federal special investigators, for example, fleeing from a border patrol agent, making a false report to an FBI agent, or attempting to take the weapon from a federal special investigator, it is difficult to charge the offender in state court. H.B. 3423 makes certain offenses committed with regard to a peace officer or certain law enforcement employees punishable under state law when committed against a federal special investigator.

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. 3423 amends the Penal Code to make provisions of law relating to the offense of false report to a peace officer or law enforcement employee apply also to a federal special investigator. The bill makes provisions of law relating to the offense of evading arrest or detention from a peace officer apply also to a federal special investigator. The bill makes provisions of law relating to the offense of taking or attempting to take a weapon from a peace officer, employee or official of a correctional facility, parole officer, community supervision and corrections department officer, or a commissioned security officer apply also to a federal special investigator. The bill provides for the meaning of "federal special investigator" by reference to the Code of Criminal Procedure. The bill makes conforming changes.

EFFECTIVE DATE

September 1, 2011.