

By: Harris, Estes

S.B. No. 259

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the duty of a peace officer to inquire into the
3 immigration status of persons arrested on other grounds.

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 INQUIRY BY PEACE OFFICER.

8 (a) A peace officer shall inquire into the immigration status of
9 any person under arrest on other grounds.

10 (b) If a person is under arrest as described by Subsection
11 (a) and the person has also violated a civil or criminal provision
12 of the federal immigration laws, the arresting peace officer shall
13 identify and report the person to United States Immigration and
14 Customs Enforcement.

15 SECTION 2. This Act takes effect immediately if it receives
16 a vote of two-thirds of all the members elected to each house, as
17 provided by Section 39, Article III, Texas Constitution. If this
18 Act does not receive the vote necessary for immediate effect, this
19 Act takes effect September 1, 2011.