

BILL ANALYSIS

S.B. 284

By: West

Homeland Security & Public Safety
Committee Report (Unamended)

BACKGROUND AND PURPOSE

The Code of Criminal Procedure authorizes numerous law enforcement officials as peace officers in this state; however, this authorization does not extend to many federal agency officials such as the Department of Veterans Affairs police. This limitation inhibits their ability to perform security and law enforcement duties, including arrests, on Veterans Administration properties without the presence or assistance of officers properly authorized under Texas law. The objective of this legislation is to provide the necessary authorization for federal agency officials needed under Texas law.

There are approximately two million veterans living in Texas. There are two regional benefit offices, eight Veterans Administration (VA) medical centers, nine outpatient clinics, eight community-based outpatient clinics, 13 veterans centers and six national cemeteries located in Texas. In addition, the VA Financial Services Center is located in Austin. There are numerous VA facilities located in this state that would be under the jurisdiction of the Department of Veterans Affairs' Office of Security and Law Enforcement police officers.

As proposed, S.B. 284 amends current law relating to granting limited state law enforcement authority to police officers with the Office of Security and Law Enforcement of the United States Department of Veterans Affairs.

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

SECTION 1. Reenacts Article 2.122(a), Code of Criminal Procedure, as amended by Chapters 1223 (S.B. 530) and 1319 (S.B. 150), Acts of the 82nd Legislature, Regular Session, 2011, and amends it to include a police officer with the Office of Security and Law Enforcement of the United States Department of Veterans Affairs among the enumerated United States agents, inspectors, and marshals in this chapter who are not deemed peace officers but have the powers of arrest, search, and seizure for felony offenses only.

SECTION 2. Provides that, to the extent of any conflict, this Act prevails over another Act of the 83rd Legislature, Regular Session, 2013, relating to nonsubstantive additions to and corrections in enacted codes.

EFFECTIVE DATE

Upon passage, or, if the Act does not receive the necessary vote, the Act takes effect September 1, 2013.