

By: Workman

H.B. No. 1450

A BILL TO BE ENTITLED

AN ACT

relating to creating the Texas Border Security Division.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Chapter 411, Government Code, is amended by adding Subchapter C-1 to read as follows:

SUBCHAPTER C-1. TEXAS BORDER SECURITY DIVISION

Sec. 411.0351. COMPOSITION; ORGANIZATION. (a) The Texas Border Security Division is a tactical operations unit of the department consisting of a division commander and the number of commissioned officers authorized by the legislature. Officers are entitled to compensation as provided by the legislature.

(b) The director, with the commission's approval, may organize and maintain the Texas Border Security Division within:

(1) the Texas Rangers division; or

(2) another appropriate division of the department in a region that includes:

(A) counties along the Texas-Mexico border; or

(B) counties subject to acute border-related criminal activity.

Sec. 411.0352. POWERS AND DUTIES OF TEXAS BORDER SECURITY DIVISION. The Texas Border Security Division shall:

(1) secure the Texas-Mexico border on a year-round basis using strategic operations along the Texas-Mexico border;

(2) deny cartels, transnational gangs, and other

1 groups engaged in organized criminal activity the ability to:

2 (A) engage in cross-border illegal activity; and

3 (B) commit or attempt to commit crimes, including
4 heinous crimes, murder, attempted murder, kidnapping, human
5 trafficking, human smuggling, corruption, public corruption, drug
6 smuggling, drug trafficking, money laundering, conspiracy, and
7 gang-related crimes;

8 (3) collaborate and cooperate with and assist law
9 enforcement and homeland security partners in preventing,
10 responding to, or investigating crime or terrorism;

11 (4) collaborate and cooperate with and assist any
12 local law enforcement agency in the interdiction, investigation,
13 and prosecution of criminal activity in the Texas-Mexico border
14 region or in a county subject to border-related criminal activity;

15 (5) collaborate and cooperate with and assist district
16 attorneys, county attorneys, the Border Prosecution Unit, and other
17 prosecutors in the investigation and prosecution of allegations of
18 criminal activity in the Texas-Mexico border region or in a county
19 subject to border-related criminal activity; and

20 (6) collaborate and cooperate with and assist United
21 States Customs and Border Protection or any other appropriate
22 federal or state law enforcement agency in the investigation and
23 prosecution of criminal activity in the Texas-Mexico border region
24 or in a county subject to border-related criminal activity.

25 Sec. 411.0353. OFFICERS. (a) To be eligible for assignment
26 along the Texas-Mexico border, an officer of the Texas Border
27 Security Division must be certified under Section 1701.406,

1 Occupations Code.

2 (b) In hiring officers for the Texas Border Security
3 Division, the department shall give preference to individuals who:

4 (1) have served in the United States armed forces and
5 received an honorable discharge; or

6 (2) are, at the time of hiring, commissioned peace
7 officers.

8 Sec. 411.0354. USE OF DEPARTMENT PROPERTY. The Texas
9 Border Security Division may use department property, including
10 aviation, maritime, or technology assets or other assets, to
11 fulfill the purposes of this subchapter.

12 Sec. 411.0355. RECOVERY OF EXPENSES. The attorney general
13 shall seek reimbursement from any available federal funds for the
14 costs the department incurs in operating the Texas Border Security
15 Division.

16 Sec. 411.0356. SUNSET PROVISION. The Department of Public
17 Safety Texas Border Security Division is subject to Chapter 325
18 (Texas Sunset Act). Unless continued in existence as provided by
19 that chapter, the Department of Public Safety Texas Border Security
20 Division is abolished and this subchapter expires September 1,
21 2019.

22 SECTION 2. Subchapter I, Chapter 1701, Occupations Code, is
23 amended by adding Section 1701.406 to read as follows:

24 Sec. 1701.406. CERTIFICATION OF OFFICERS FOR ASSIGNMENT
25 ALONG TEXAS-MEXICO BORDER. (a) The commission by rule shall
26 establish minimum requirements for the training, testing, and
27 certification of peace officers for assignment along the

1 Texas-Mexico border.

2 (b) The commission may certify a peace officer as an officer
3 for assignment along the Texas-Mexico border if the person:

4 (1) completes a training course approved by the
5 commission in issues relating to criminal activity occurring along
6 the Texas-Mexico border; and

7 (2) passes an examination administered by the
8 commission that is designed to test the person's knowledge in
9 issues relating to criminal activity occurring along the
10 Texas-Mexico border.

11 (c) The commission may issue a professional achievement or
12 proficiency certificate to a peace officer who meets the
13 requirements of Subsection (b).

14 (d) The training course required by Subsection (b)(1) must
15 consist of not less than 80 hours.

16 SECTION 3. If this Act takes effect immediately, the Texas
17 Department of Public Safety may use any money appropriated to the
18 department for the fiscal year ending August 31, 2015, for the
19 purposes of this Act.

20 SECTION 4. This Act takes effect immediately if it receives
21 a vote of two-thirds of all the members elected to each house, as
22 provided by Section 39, Article III, Texas Constitution. If this
23 Act does not receive the vote necessary for immediate effect, this
24 Act takes effect September 1, 2015.