

By: Blanco

H.B. No. 825

A BILL TO BE ENTITLED

AN ACT

1
2 relating to a prohibition on certain law enforcement inquiries
3 regarding the nationality or immigration status of a victim of or
4 witness to a criminal offense.

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

6 SECTION 1. Article 2.13, Code of Criminal Procedure, is
7 amended by adding Subsections (d) and (e) to read as follows:

8 (d) Subject to Subsection (e), in the course of
9 investigating an alleged criminal offense, a peace officer may
10 inquire as to the nationality or immigration status of a victim of
11 or witness to the offense only if the officer determines that the
12 inquiry is necessary to:

13 (1) investigate the offense; or

14 (2) provide the victim or witness with information
15 about federal visas designed to protect individuals providing
16 assistance to law enforcement.

17 (e) Subsection (d) does not prevent a peace officer from:

18 (1) conducting a separate investigation of any other
19 alleged criminal offense; or

20 (2) inquiring as to the nationality or immigration
21 status of a victim of or witness to a criminal offense if the
22 officer has probable cause to believe that the victim or witness has
23 engaged in specific conduct constituting a separate criminal
24 offense.

1 SECTION 2. This Act takes effect immediately if it receives
2 a vote of two-thirds of all the members elected to each house, as
3 provided by Section 39, Article III, Texas Constitution. If this
4 Act does not receive the vote necessary for immediate effect, this
5 Act takes effect September 1, 2017.