

By: Wilson

H.B. No. 3863

A BILL TO BE ENTITLED

1 AN ACT

2 relating to granting limited state law enforcement authority to
3 certain federal officers or agents.

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

5 SECTION 1. Articles [2.122](#)(a) and (b), Code of Criminal
6 Procedure, are amended to read as follows:

7 (a) The following named criminal investigators of the
8 United States shall not be deemed peace officers, but shall have the
9 powers of arrest, search, and seizure under the laws of this state
10 as to felony offenses only:

11 (1) Special Agents of the Federal Bureau of
12 Investigation;

13 (2) Special Agents of the Secret Service;

14 (3) Special Agents of the United States Immigration
15 and Customs Enforcement;

16 (4) Special Agents of the Bureau of Alcohol, Tobacco,
17 Firearms and Explosives;

18 (5) Special Agents of the United States Drug
19 Enforcement Administration;

20 (6) Inspectors of the United States Postal Inspection
21 Service;

22 (7) Special Agents of the Criminal Investigation
23 Division of the Internal Revenue Service;

24 (8) Civilian Special Agents of the United States Naval

1 Criminal Investigative Service;

2 (9) Marshals and Deputy Marshals of the United States
3 Marshals Service;

4 (10) Special Agents of the United States Department of
5 State, Bureau of Diplomatic Security;

6 (11) Special Agents of the Treasury Inspector General
7 for Tax Administration;

8 (12) Special Agents of the Office of Inspector General
9 of the United States Social Security Administration;

10 (13) Special Agents of the Office of Inspector General
11 of the United States Department of Veterans Affairs;

12 (14) Special Agents of the Office of Inspector General
13 of the United States Department of Agriculture; and

14 (15) [(14)] a police officer with the Office of
15 Security and Law Enforcement of the United States Department of
16 Veterans Affairs.

17 (b) An officer or agent [A person] designated by the
18 Secretary of Homeland Security [as a special policeman by the
19 Federal Protective Services division of the General Services
20 Administration] under 40 U.S.C. Section 1315 for duty in connection
21 with the protection of property owned or occupied by the federal
22 government and persons on the property [318 or 318d] is not a peace
23 officer but has the powers of arrest and search and seizure as to
24 any offense under the laws of this state.

25 SECTION 2. This Act takes effect immediately if it receives
26 a vote of two-thirds of all the members elected to each house, as
27 provided by Section 39, Article III, Texas Constitution. If this

H.B. No. 3863

1 Act does not receive the vote necessary for immediate effect, this

2 Act takes effect September 1, 2019.