

By: Rodríguez

S.B. No. 1165

A BILL TO BE ENTITLED

AN ACT

1
2 relating to an inquiry by a peace officer as to the nationality or
3 immigration status of a person presumed to be a family violence
4 victim or witness.

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

6 SECTION 1. Subchapter C, Chapter 752, Government Code, is
7 amended by adding Section 752.0531 to read as follows:

8 Sec. 752.0531. POLICY ON IMMIGRATION INQUIRIES DIRECTED TO
9 PERSON PRESUMED TO BE FAMILY VIOLENCE VICTIM OR WITNESS. (a) In
10 this section, "family violence" has the meaning assigned by Section
11 71.004, Family Code.

12 (b) Notwithstanding any other provision of this subchapter,
13 a local entity or campus police department may adopt, enforce, and
14 endorse a policy to provide guidance to peace officers regarding
15 the application of Article 2.13(d), Code of Criminal Procedure, as
16 added by Chapter 4 (S.B. 4), Acts of the 85th Legislature, Regular
17 Session, 2017, to a person presumed to be a victim of or witness to
18 family violence.

19 (c) A policy adopted under this section:

20 (1) must provide specific criteria to enable a peace
21 officer to determine whether a person is likely to have been a
22 victim of or witness to family violence; and

23 (2) may be designed for the purpose of limiting
24 inquiries regarding the nationality or immigration status of those

1 persons.

2 SECTION 2. This Act takes effect immediately if it receives
3 a vote of two-thirds of all the members elected to each house, as
4 provided by Section 39, Article III, Texas Constitution. If this
5 Act does not receive the vote necessary for immediate effect, this
6 Act takes effect September 1, 2019.