

BILL ANALYSIS

H.B. 1232
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Criminal Jurisprudence
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Local peace officers and prosecutors have raised concerns about their offices' ability to install and use tracking equipment and subsequently access certain communications. Currently, only certain offices are able to use certain tracking equipment: the sheriff's department of a county with a population of 3.3 million or more, a police department in a municipality with a population of 200,000 or more, and the office of the inspector general of the Texas Department of Criminal Justice. However, prosecutors' offices within large counties are left out of the definition of "designated law enforcement office or agency" for the purposes of utilizing tracking equipment and communications access. H.B. 1232 seeks to address this issue by allowing prosecutors in counties with a population of more than 2.1 million to install and use certain tracking equipment and access certain communications.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

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

H.B. 1232 amends the Code of Criminal Procedure to include a prosecutor's office in a county with a population of more than 2.1 million among the law enforcement offices considered a designated law enforcement office for purposes of statutory provisions relating to the installation and use of tracking equipment and access to certain communications.

EFFECTIVE DATE

September 1, 2023.