BILL ANALYSIS

BACKGROUND AND PURPOSE

Fuel stations across the country, including in Texas, are being targeted by fuel thieves who illegally acquire diesel fuel using stolen credit and debit card numbers, break into fuel dispensers to manipulate the internal fuel pump pulser devices, or siphon diesel fuel from underground fuel tanks at truck stops and convenience stores. When these thieves drive dangerously in an attempt to lose pursuing investigators, it is not uncommon for the comptroller of public accounts' Criminal Investigation Division (CID) investigators, driving their personal vehicles, to lose the suspects due to counter surveillance methods and heavy traffic, which prevents officers from locating where thieves travel with loads of stolen fuel. Currently, when CID investigators need to place a tracking device on a vehicle, they must request assistance from other authorized peace officers or law enforcement agencies in obtaining a court order authorizing the installation and use of the device. H.B. 1993 seeks to resolve this issue by authorizing CID investigators to apply directly to a judge for tracker warrants.

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. 1993 amends the Code of Criminal Procedure to authorize a peace officer commissioned by the comptroller of public accounts to apply for an order by a district judge authorizing the installation and use of a mobile tracking device.

EFFECTIVE DATE

On passage, or, if the bill does not receive the necessary vote, September 1, 2023.