

BILL ANALYSIS

Senate Research Center
88R18443 JCH-F

H.B. 3981
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Criminal Justice
5/17/2023
Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Article 2.12(7) of the Texas Code of Criminal Procedures designates arson investigators as peace officers. Arson investigations typically fall under the jurisdiction of a fire marshal office or fire department investigation division. To provide clarification, this bill adds Subdivision (35) to designate fire marshals, investigators, or inspectors of a municipality who hold a permanent peace officer license as peace officers.

H.B. 3981 designates a fire marshal who works for a municipality and has already earned a peace officer license as a peace officer in Texas statute.

H.B. 3981 amends current law relating to the designation of certain fire marshals and related officers, inspectors, and investigators as peace officers.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Article 2.12, Code of Criminal Procedure, as follows:

Art. 2.12. WHO ARE PEACE OFFICERS. Provides that the following are peace officers:

(1)-(32) makes no changes to these subdivisions;

(33)-(34) makes nonsubstantive changes to these subdivisions; and

(35) fire marshals and any related officers, inspectors, or investigators of a municipality who hold a permanent peace officer licensed issued under Chapter 1701 (Law Enforcement Officers), Occupations Code.

SECTION 2. Effective date: September 1, 2023.