

## **BILL ANALYSIS**

H.B. 3553  
By: Keffer  
Criminal Jurisprudence  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

There are concerns that current state law does not adequately provide for a fire marshal to obtain electronic communications by subpoena, search warrant, or court order. Given that it is sometimes necessary for a fire marshal to acquire cell phone and text messaging records during an arson investigation, there are calls for such authorization so that fire marshals may apply for warrants or court orders to access information necessary to conduct the investigation. H.B. 3553 seeks to address this issue.

### **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. 3553 amends the Code of Criminal Procedure to include a fire marshal or related officer, inspector, or investigator commissioned by a county under Local Government Code provisions relating to the office of county fire marshal in the definition of "authorized peace officer" for purposes of statutory provisions relating to intercepting or collecting information in relation to certain communications in an investigation of criminal conduct.

### **EFFECTIVE DATE**

September 1, 2015.