

## **BILL ANALYSIS**

Senate Research Center

H.B. 1112  
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Criminal Justice  
5/3/1999  
Engrossed

### **DIGEST**

Currently, under Texas law, only the director of the institutional division of the Texas Department of Criminal Justice (TDCJ) and the director's designees may authorize institutional division employees to transport inmates and to apprehend escapees, even if an employee from another division is pursuing or expected to pursue an escaped inmate. This bill would authorize the executive director of TDCJ or a designee of the executive director to authorize TDCJ employees from any division of the department to transport offenders, and apprehend escapees, and establishes that officers who are appointed by the executive director are peace officers.

### **PURPOSE**

As proposed, H.B. 1112 authorizes the executive director of the Texas Department of Criminal Justice (TDCJ) or a designee of the executive director to authorize TDCJ employees from any division of the department to transport offenders, and apprehend escapees, and establishes that officers who are appointed by the executive director are peace officers.

### **RULEMAKING AUTHORITY**

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

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Section 494.008, Government Code, as follows:

Sec. 494.008. New heading: DEPARTMENT EMPLOYEES: LIMITED LAW ENFORCEMENT POWERS. Authorizes the executive director of the Texas Department of Criminal Justice (TDCJ) or the executive director's designee, rather than the director of the institutional division, to authorize TDCJ employees from any division of TDCJ to transport offenders, rather than inmates, and to apprehend escapees. Deletes text authorizing an employee to perform duties, but only during duty hours. Makes conforming changes.

SECTION 2. Amends Article 2.12, Code of Criminal Procedure, to include officers who are appointed by the executive director of TDCJ under Section 493.019, Government Code, among the list of persons who are considered peace officers.

SECTION 3. Repealer: Section 507.021, Government Code (Employees: Limited Law Enforcement Powers).

SECTION 4. Emergency clause.  
Effective date: upon passage.