

BILL ANALYSIS

Senate Research Center
77R7590 JMC-D

H.B. 2991
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Criminal Justice
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Engrossed

DIGEST AND PURPOSE

While the legal drinking age in Mexico is 18, some bars near the international border do not enforce this law, thus allowing minors to drink. According to the U.S. State Department, Mexico arrests over 1,000 Americans abroad per year with about 450 U.S. citizens in prison at any one time. The rights guaranteed by the Mexican Constitution differ greatly from those guaranteed by the U.S. Constitution, creating potential legal problems for any minor drinking in Mexico. H.B. 2991 requires a peace officer to prevent a person younger than 18 years of age from crossing the Texas-Mexico border without a parent or proper documents.

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 Chapter 2, Code of Criminal Procedure, by adding Article 2.131, as follows:

Art. 2.131. DUTY TO PREVENT CERTAIN JUVENILES FROM CROSSING BORDER. Requires a peace officer who observes a person younger than 18 years of age attempting to cross the border between this state and Mexico to prevent the person from crossing the border unless the person is accompanied by a parent or guardian, or has written consent from the person's parent or guardian to cross the border or has a current United States passport issued to the person. Prohibits a peace officer who prevents a person from crossing the border as required by this article from detaining the person unless the officer has reasonable suspicion or probable cause to believe that the person has engaged in conduct prohibited by law.

SECTION 2. Effective date: September 1, 2001.