

BILL ANALYSIS

Senate Research Center
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S.B. 918
By: Shapiro
Criminal Justice
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As Filed

DIGEST AND PURPOSE

Currently, the attorney general's office is not permitted to issue an administrative subpoena to communications common carriers or electronic communications services. This results in the attorney general's office being unable to gather information on the carrier's or service's business records that disclose information about their customers or users to be used in a criminal investigation. As proposed, S.B. 918 grants the attorney general's office or his designee the authority to issue an administrative subpoena to communications common carriers or electronic communications services.

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 Section 15, Article 18.21, Code of Criminal Procedure, to add language authorizing the attorney general or a designee of the attorney general to issue an administrative subpoena to a communications common carrier or an electronic communications service to compel the production of the carrier's or service's business records that disclose certain information or are material to a criminal investigation.

SECTION 2. Effective date: upon passage or September 1, 2001.