

BILL ANALYSIS

Senate Research Center
79R3024 KCR-D

S.B. 615
By: Averitt
Criminal Justice
5/2/2005
As Filed

AUTHOR'S/SPONSOR'S STATEMENT OF INTENT

Under Article 2.122, Code of Criminal Procedure, the powers of Secret Service agents are limited to arrest, search, and seizure as to felony offenses only under the laws of the State of Texas. The powers of Secret Service agents protecting the President of the United States are limited in such a way that in a situation where local law enforcement officers are not immediately available for back-up, agents may not be able to thoroughly investigate potential threats to the President.

As proposed, S.B. 615 grants, in certain situations, the powers of arrest, search and seizure to special agents of the Secret Service providing protective service to the President or investigating a threat against the President.

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 2.122, Code of Criminal Procedure, by adding Subsection (g), as follows:

(g) Provides that in addition to the powers of arrest, search, and seizure, a Special Agent of the Secret Service protecting a person described by 18 U.S.C. Section 3056(a) or investigating a threat against a person described by the same section has the powers of arrest, search, and seizure in relation to misdemeanor offenses under the laws of this state and any criminal offense under federal law.

SECTION 2. Effective date: September 1, 2005.