

BILL ANALYSIS

Senate Research Center
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C.S.S.B. 1464
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Veteran Affairs & Military Installations-S/C Border Security
4/16/2015
Committee Report (Substituted)

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

In 2009, the Senate committee that had jurisdiction on matters related to the border region made several recommendations to the legislature related to the state's ability to better combat criminal activity along the border region. First, the committee recommended "Continuing to work with the border's local elected and law enforcement officials and with state leaders to try to provide them the necessary resources, funding, and statutory framework needed to protect Texas' neighborhoods from criminal activity." It also recommended "Strengthening the state's effort to help address the prosecution of border communities/prosecutors by working with the Office of the Attorney General (OAG) to create a border criminal activity prosecution unit that will provide critical assistance to prosecutors and work to provide greater state assistance/support at the local level."

C.S.S.B. 1464 codifies the 2009 Senate committee recommendation to strengthen the state's commitment to combat the organized criminal organizations by making it clear that Texas will not sit idle and allow organized crime to overwhelm our local communities with their criminal activity. In so doing, S.B. 1464 creates a statewide transnational and organized crime division at OAG. The division will assist local district attorneys in investigating and prosecuting criminal activity.

Additionally, the division will address matters related to border security and organized crime in order to, among other matters: provide critical assistance to local prosecutors and local law enforcement agencies in investigating and prosecuting human trafficking and related crimes; and, develop initiatives to provide greater state assistance, support, and coordination among state law enforcement agencies, local enforcement agencies, and local prosecutors.

C.S.S.B. 1464 amends current law relating to the creation of the transnational and organized crime division within the office of the attorney general.

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 Subchapter B, Chapter 402, Government Code, by adding Section 402.038, as follows:

Sec. 402.038. TRANSNATIONAL AND ORGANIZED CRIME DIVISION. (a) Requires the Office of the Attorney General (OAG) to establish a transnational and organized crime division (division).

(b) Requires the division, to address matters related to border security and organized crime, to:

(1) establish within the division a prosecution unit to provide critical assistance to local prosecutors;

(2) using existing funds, establish within the division a trafficking of persons unit to:

(A) assist local law enforcement agencies and local prosecutors in investigating and prosecuting trafficking of persons and related crimes; and

(B) work with the appropriate local and state agencies to identify victims of trafficking of persons and to provide the types of assistance available for those victims under Chapter 56 (Rights of Crime Victims), Code of Criminal Procedure; and

(3) develop initiatives to provide greater state assistance, support, and coordination among state law enforcement agencies, local law enforcement agencies, and local prosecutors.

(c) Provides that assistance provided by the division under this section may include the assistance authorized under Section 402.028 (Assistance to Prosecuting Attorneys).

SECTION 2. Requires OAG, not later than December 1, 2015, to establish the transnational and organized crime division as required by Section 402.038, Government Code, as added by this Act.

SECTION 3. Effective date: September 1, 2015.