

## **BILL ANALYSIS**

Senate Research Center  
87R17652 EAS-F

H.B. 3452  
By: White (Buckingham)  
Criminal Justice  
5/20/2021  
Engrossed

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

There are concerns that Special Agents of the Office of Export Enforcement are limited in their authority when conducting joint investigations with state and local agencies concerning violations of state law and are not able to fully participate in those investigations.

H.B. 3452 seeks to address this issue by granting limited state law enforcement authority to special agents of that office.

H.B. 3452 amends the Code of Criminal Procedure to include special agents of the Department of Commerce, Bureau of Industry and Security, and the Office of Export Enforcement among the criminal investigators deemed not to be peace officers but who have the powers of arrest, search, and seizure under state laws as to felony offenses only.

H.B. 3452 was brought to Representative James White by constituents in House District 19 who have enlisted federal officers to help with state task force cases as well as other cases, and who have experienced much success in solving cases with the help of these agents.

H.B. 3452 amends current law relating to granting limited state law enforcement authority to certain federal special agents.

### **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(a), Code of Criminal Procedure, as follows:

- (a) Provides that certain criminal investigators of the United States are prohibited from being deemed peace officers, but are required to have the powers of arrest, search, and seizure under the laws of this state as to felony offenses only, including Special Agents of the Office of Export Enforcement of the United States Department of Commerce and Special Agents of the Criminal Investigation Command of the United States Army. Makes nonsubstantive changes.

SECTION 2. Effective date: upon passage or September 1, 2021.