

BILL ANALYSIS

Senate Research Center

S.B. 475
By: Ogden
Criminal Justice
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As Filed

DIGEST

Currently, Texas does not have a law enforcement unit dedicated to investigations involving the theft or misappropriation of state funds or property, or investigations involving a level of expertise that is not readily available to local law enforcement agencies. Much of the investigative process needed to bring such a "white collar crime" to trial requires extensive expertise and an established protocol. It requires a team approach which brings together prosecutors, accountants, computer network specialists and investigators. When the Texas Department of Public Safety is asked to assist in an investigation of such magnitude, it must put together a task force which borrows expert personnel from other agencies. Once such an investigation is complete, the task force is dismantled -- only to be recreated for the next investigation. The task force approach obligates the agency to waste valuable time organizing, coordinating, and dismantling the task force. This bill will create the complex crime unit to assist in or conduct such investigations.

PURPOSE

As proposed, S.B. 475 creates the complex crime unit to assist in or conduct investigations involving the theft or misappropriation of state funds or property or involving a level of expertise that is not readily available to local law enforcement agencies.

RULEMAKING AUTHORITY

This bill does not grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Chapter 411, Government Code, by adding Subchapter I, as follows:

SUBCHAPTER I. COMPLEX CRIME UNIT

Sec. 411.251. DEFINITIONS. Defines "attorney representing the state" and "complex crime."

Sec. 411.252. COMPLEX CRIME UNIT. Provides that the complex crime unit is an investigatory unit within the criminal law enforcement division of the Department of Public Safety of the State of Texas (department). Requires the public safety director (director) to employ commissioned peace officers and non-commissioned employees to perform duties required of the unit. Sets forth requirements for peace officers to be eligible to be employed under this subsection. Requires a non-commissioned employee, to be eligible for employment under this section, to meet the experience, training, and educational qualifications set by the director as requirements for investigating or assisting in the investigation of a crime.

Sec. 411.253. ASSISTANCE ON REQUEST. Authorizes the complex crime unit of the department, on the request of an attorney representing the state and with the approval of the director, to assist local law enforcement in the investigation of crime. Authorizes the complex crime unit of the department, on the request of the governor and with the approval of the director, to investigate a crime involving harm to the interests of a state agency.

SECTION 2. Effective date: September 1, 1997.

SECTION 3. Emergency clause.