

BILL ANALYSIS

Senate Research Center
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S.B. 379
By: Carona
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AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Over the past two years, the border between Texas and Mexico has become an increasingly violent and dangerous place due mainly to Mexican drug cartels who have become more powerful and brazen. These Mexican cartels use existing street gangs in Texas to extend their reach into the United States and sell narcotics.

The 80th Legislature, Regular Session, 2007, passed S.B. 11, which created the Border Security Council (council) for the purpose of making recommendations to the governor for the use of state funds appropriated for border security and to advise the governor on the allocation of discretionary state homeland security funds. The council has already served to benefit the state's efforts to combat border gangs. S.B. 379 provides government entities throughout the state direction in dealing with the criminal street gang threat in their respective jurisdictions.

As proposed, S.B. 379 requires the council to evaluate the threat that criminal street gangs pose to the infrastructure of the state, each county, and each municipality in the state with a population greater than 100,000. This bill also requires the council to provide recommendations on the prevention of human trafficking by gangs, the reduction of criminal street gang violence, the prevention of criminal street gang growth in Texas, and the methods to ensure that law enforcement receives necessary training.

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 421.0025, Government Code, by adding Subsections (g) and (h), as follows:

(g) Requires the Border Security Council (council) to annually submit to the governor a report regarding criminal street gangs and gang-related crime. Requires that the report be approved by a majority of the council members and include an evaluation of the threat that criminal street gangs and gang-related crime pose to the infrastructure of the state, each county, and each municipality with a population of more than 100,000, and recommendations on actions that may be taken to prevent criminal street gangs from committing human trafficking offenses, reduce criminal street gang violence, prevent the growth and proliferation of criminal street gangs, and ensure that law enforcement personnel receive the necessary training and education to effectively deal with the problems created by criminal street gangs and gang-related crime.

(h) Requires the office of the attorney general, the Department of Public Safety, the Texas Violent Gang Task Force, the Gang Resource System, the Texas Fusion Center, criminal justice agencies, and juvenile justice agencies, on request, to provide information relating to criminal street gangs and gang-related crime to the council.

SECTION 2. Requires the council to submit the first annual report regarding criminal street gangs and gang-related crime to the governor as required by Section 421.0025(g), Government Code, as added by this Act, not later than September 1, 2010.

SECTION 3. Effective date: upon passage or September 1, 2009.