

BILL ANALYSIS

Senate Research Center
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S.B. 1088
By: Harris
Criminal Justice
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As Filed

DIGEST AND PURPOSE

Currently, the Texas Rangers comprise a division within the Department of Public Safety (DPS). It is considered one of the oldest law enforcement organizations in the United States, and as a statewide special crimes unit, it is often called upon to investigate crimes. Like the Texas Rangers, DPS has a separate special crimes unit, but neither functions as an internal affairs division for DPS. The Texas Rangers effectively function as a separate department within DPS.

As proposed, S.B. 1088 establishes the Texas Rangers as a separate entity under the Public Safety Commission with an administrative connection to DPS. The Texas Rangers and the special crimes unit of DPS will function as two separate entities under the commission, but will use the same facilities such as the crime lab and shooting range.

RULEMAKING AUTHORITY

Rulemaking authority is expressly granted to the highest ranking officer of the Texas Rangers in SECTION 7 (Section 411.0215, Government Code) in this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends the heading to Chapter 411, Government Code, to read as follows:

CHAPTER 411. DEPARTMENT OF PUBLIC SAFETY OF THE STATE OF TEXAS; TEXAS RANGERS

SECTION 2. Amends Section 411.002(a), Government Code, by removing the Texas Rangers from the composition of the Department of Public Safety of the State of Texas (department).

SECTION 3. Amends Section 411.003(a), Government Code, to provide that the Public Safety Commission (commission) controls the department and the Texas Rangers.

SECTION 4. Amends Section 411.006(a), Government Code, by deleting the "Texas Rangers" from the list of those receiving commissions from the public safety director.

SECTION 5. Amends Section 411.015, Government Code, by deleting the text "division relating to the" when referring to the Texas Rangers.

SECTION 6. Amends Section 411.021, Government Code, to provide that the Texas Rangers are organized under the jurisdiction of the commission and consist of the number of rangers authorized by the legislature, rather than are a major division of the department consisting of the number of rangers authorized by the legislature. Provides that the highest ranking officer of the Texas Rangers is responsible to and reports directly to the commission, rather than the director.

SECTION 7. Amends Chapter 411B, Government Code, by adding Section 411.0215, as follows:

Sec. 411.0215. DUTIES OF HIGHEST RANKING OFFICER. Requires the highest

ranking officer of the Texas Rangers to perform certain tasks including adopt rules, subject to commission approval, considered necessary for the control of the Texas Rangers. Requires the highest ranking officer to provide to members of the commission and to the Texas Rangers, as often as necessary, information regarding the requirements for serving as a Texas Ranger under this chapter, including information regarding a person's responsibilities under applicable laws relating to standards of conduct for state employees.

SECTION 8. Amends Section 411.024(c), Government Code, to make a conforming change.

SECTION 9. Effective date: September 1, 2001.