

HB 1063 -- STATE WATER PATROL

SPONSOR: Hampton

COMMITTEE ACTION: Voted "do pass" by the Committee on Transportation and Motor Vehicles by a vote of 16 to 2.

This bill expands the jurisdiction of the State Water Patrol. Under current law, the patrol's jurisdiction includes only the state's waterways and adjacent land. The bill grants the patrol the power to arrest a person anywhere in the state when a water patrol officer witnesses a crime taking place. In addition, when a water patrol officer has probable cause to believe that a person has committed a crime within the patrol's jurisdiction, the officer may arrest that person anywhere in the state. If practicable, the water patrol officer must notify local law enforcement prior to making the arrest. Finally, the bill allows water patrol officers to request search warrants anywhere in the state, provided they notify the sheriff when requesting the warrant.

FISCAL NOTE: No impact on state funds in FY 2005, FY 2006, and FY 2007.

PROPOSERS: Supporters say that the State Water Patrol has an important role in law enforcement. They are being called upon more frequently including the area of homeland security. The water patrol needs expanded jurisdiction to better carry out their duties and assist other law enforcement agencies.

Testifying for the bill were Representative Hampton; State Water Patrol; and State Highway Patrol.

OPPOSERS: There was no opposition voiced to the committee.

Robert Triplett, Legislative Analyst