

By: Rose

H.B. No. 346

A BILL TO BE ENTITLED

AN ACT

relating to prohibiting the use of certain techniques when using force to make an arrest or search.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Subchapter E, Chapter 9, Penal Code, is amended by adding Section 9.515 to read as follows:

Sec. 9.515. PROHIBITED TECHNIQUES. Notwithstanding any other law, the use of force or deadly force against a person is not justified under Section 9.51 if the force or deadly force is used in a manner that impedes the normal breathing or circulation of the blood of the person by applying pressure to the person's throat, neck, or torso or by blocking the person's nose or mouth.

SECTION 2. The change in law made by this Act applies only to an offense committed on or after the effective date of this Act. An offense committed before the effective date of this Act is governed by the law in effect on the date the offense was committed, and the former law is continued in effect for that purpose. For purposes of this section, an offense was committed before the effective date of this Act if any element of the offense occurred before that date.

SECTION 3. This Act takes effect September 1, 2021.