

By: Frazier

H.B. No. 4196

A BILL TO BE ENTITLED

AN ACT

relating to disciplinary action against a peace officer for failure to comply with certain arrest and charging procedures for violations of the rules of the road.

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

SECTION 1. Section 543.008, Transportation Code, is amended to read as follows:

Sec. 543.008. VIOLATION BY OFFICER. (a) Subject to Subsection (b), a [A] violation by an officer of a provision of Sections 543.003-543.007 is misconduct in office and the officer is subject to removal from the officer's position.

(b) Subsection (a) does not apply if an officer issues a person a written notice to appear in accordance with Section 543.003 and:

(1) the person refuses to sign the written notice prepared by the officer in accordance with Section 543.005;

(2) the officer does not take the person before a magistrate under Section 543.002 after the person fails to sign the written notice; and

(3) the officer does not violate any other provision of Sections 543.003-543.007.

SECTION 2. The changes in law made by this Act apply only to conduct that occurs on or after the effective date of this Act. Conduct that occurs before the effective date of this Act is

1 governed by the law in effect immediately before the effective date  
2 of this Act, and the former law is continued in effect for that  
3 purpose.

4 SECTION 3. This Act takes effect September 1, 2023.