

By: Flores

H.B. No. 4875

A BILL TO BE ENTITLED

AN ACT

relating to a law enforcement agency policy regarding drug and alcohol testing of peace officers involved in certain injuries or deaths.

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

SECTION 1. Chapter 2, Code of Criminal Procedure, is amended by adding Article 2.1391 to read as follows:

Art. 2.1391. LAW ENFORCEMENT POLICY ON DRUG AND ALCOHOL TESTING AFTER OFFICER-INVOLVED INJURIES OR DEATHS. (a) In this article:

(1) "Deadly weapon" has the meaning assigned by Article 2.139.

(2) "Law enforcement agency" has the meaning assigned by Article 2.132.

(3) "Officer-involved injury or death" means any serious bodily injury or death caused by a peace officer acting under the authority of a political subdivision of the state.

(b) Each law enforcement agency in this state shall adopt a detailed written policy requiring a peace officer who causes an officer-involved injury or death to submit to the agency, not later than two hours after the officer-involved injury or death, a specimen of the officer's blood, urine, or other bodily substance to assess:

(1) the officer's blood alcohol content; and

1           (2) whether there is a controlled substance in the  
2 officer's body.

3           SECTION 2. Each law enforcement agency in this state shall  
4 adopt the policy required by Article 2.1391, Code of Criminal  
5 Procedure, as added by this Act, as soon as practicable after the  
6 effective date of this Act.

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