

By: Jones of Harris, Little, Smithee,  
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H.B. No. 1765

A BILL TO BE ENTITLED

AN ACT

relating to the issuance of an arrest warrant or search warrant  
authorizing the use of a no-knock entry by a peace officer.

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

SECTION 1. Chapter 15, Code of Criminal Procedure, is  
amended by adding Article 15.251 to read as follows:

Art. 15.251. NO-KNOCK ARREST WARRANT. (a) In this article,  
"no-knock entry" means a peace officer's entry, for the purpose of  
executing a warrant, into a building or other place without giving  
notice of the officer's authority or purpose before entering.

(b) Except as provided by Subsection (c), a magistrate may  
not issue an arrest warrant that authorizes a no-knock entry.

(c) A magistrate listed in Subsection (d) may issue an  
arrest warrant that authorizes a no-knock entry only if:

(1) the complaint is submitted concurrently with a  
statement that approves the use of a no-knock entry and that is  
signed by the chief administrator of the law enforcement agency  
employing the affiant or by the chief administrator's designee; and

(2) the warrant requires that each peace officer  
executing the warrant be in uniform or otherwise clearly  
identifiable as a peace officer.

(d) Notwithstanding any other law, only the following  
magistrates may issue an arrest warrant that authorizes a no-knock  
entry:

1           (1) a district court judge;

2           (2) a statutory county court judge;

3           (3) a judge of a county court who is an attorney  
4 licensed by this state;

5           (4) a judge of a municipal court of record who is an  
6 attorney licensed by this state; or

7           (5) any magistrate if the county in which the warrant  
8 is issued does not have:

9                   (A) a municipal court of record with a courtroom  
10 located in that county and a judge who is an attorney licensed by  
11 this state;

12                   (B) a county court judge who is an attorney  
13 licensed by this state; or

14                   (C) a statutory county court judge.

15           SECTION 2. Chapter 18, Code of Criminal Procedure, is  
16 amended by adding Article 18.025 to read as follows:

17           Art. 18.025. NO-KNOCK SEARCH WARRANT. (a) In this article,  
18 "no-knock entry" has the meaning assigned by Article 15.251.

19           (b) Except as provided by Subsection (c), a magistrate may  
20 not issue a search warrant that authorizes a no-knock entry.

21           (c) A magistrate listed in Subsection (d) may issue a search  
22 warrant that authorizes a no-knock entry only if:

23                   (1) the affidavit under Article 18.01(b) is submitted  
24 concurrently with a statement that approves the use of a no-knock  
25 entry and that is signed by the chief administrator of the law  
26 enforcement agency employing the affiant or by the chief  
27 administrator's designee; and

1           (2) the warrant requires that each peace officer  
2 executing the warrant be in uniform or otherwise clearly  
3 identifiable as a peace officer.

4           (d) Notwithstanding any other law, only the following  
5 magistrates may issue a search warrant that authorizes a no-knock  
6 entry:

7                   (1) a district court judge;

8                   (2) a statutory county court judge;

9                   (3) a judge of a county court who is an attorney  
10 licensed by this state;

11                   (4) a judge of a municipal court of record who is an  
12 attorney licensed by this state; or

13                   (5) any magistrate if the county in which the warrant  
14 is issued does not have:

15                           (A) a municipal court of record with a courtroom  
16 located in that county and a judge who is an attorney licensed by  
17 this state;

18                           (B) a county court judge who is an attorney  
19 licensed by this state; or

20                           (C) a statutory county court judge.

21           SECTION 3. The change in law made by this Act applies only  
22 to a warrant issued on or after the effective date of this Act. A  
23 warrant issued before the effective date of this Act is governed by  
24 the law in effect on the date the warrant was issued, and the former  
25 law is continued in effect for that purpose.

26           SECTION 4. This Act takes effect September 1, 2025.