

BILL ANALYSIS

S.B. 1835
By: Staples
Criminal Jurisprudence
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Current law requires a person who evades arrest and assaults an arresting officer, causing the officer to come into contact with bodily fluid, to submit to testing for a communicable disease. Senate Bill 1835 requires a person who is being arrested for a felony or misdemeanor offense and who causes an arresting peace officer to come into contact with bodily fluid to submit to testing for a communicable disease.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

Senate Bill 1835 amends the Code of Criminal Procedure to require a person who is arrested for a misdemeanor or felony offense and who during the commission of that offense or an arrest following the commission of that offense causes a peace officer to come into contact with the person's bodily fluids to, at the direction of the court having jurisdiction over the arrested person, undergo a medical procedure or test designed to show or help show whether the person has a communicable disease.

EFFECTIVE DATE

September 1, 2003.