

## **BILL ANALYSIS**

Senate Research Center  
84R13137 JSC-D

H.B. 3791  
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Criminal Justice  
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Engrossed

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

Currently, persons arrested for certain intoxication offenses under the Penal Code are not entitled to a copy of all video recordings of the arrest.

H.B. 3791 amends the Code of Criminal Procedure to entitle a person stopped or arrested on suspicion of certain intoxication offenses under the Penal Code to receive a copy from a law enforcement agency of any video made by the arresting officer that contains footage of the stop, arrest, the conduct of the person stopped, and the taking of the person's breath or blood specimen.

H.B. 3791 amends current law relating to the provision of recordings of certain interactions with a peace officer relating to intoxication offenses.

### **RULEMAKING AUTHORITY**

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Chapter 2, Code of Criminal Procedure, by adding Article 2.139, as follows:

Art. 2.139. VIDEO RECORDINGS OF ARRESTS FOR INTOXICATION OFFENSES. Provides that a person stopped or arrested on suspicion of an offense under Section 49.04 (Driving While Intoxicated), 49.045 (Driving While Intoxicated with a Child Passenger), 49.07 (Intoxication Assault), or 49.08 (Intoxication Manslaughter), Penal Code, is entitled to receive from a law enforcement agency employing the peace officer who made the stop or arrest a copy of any video made by or at the direction of the officer that contains footage of the stop, the arrest, the conduct of the person stopped during any interaction with the officer, including during the administration of a field sobriety test, or a procedure in which a specimen of the person's breath or blood is taken.

SECTION 2. Makes application of this Act prospective.

SECTION 3. Effective date: September 1, 2015.