

By: Burrows

H.B. No. 4071

A BILL TO BE ENTITLED

AN ACT

1
2 relating to a requirement that a peace officer obtain a search
3 warrant before conducting a body cavity search.

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

5 SECTION 1. Chapter 18, Code of Criminal Procedure, is
6 amended by adding Article 18.24 to read as follows:

7 Art. 18.24. BODY CAVITY SEARCH. (a) In this article, "body
8 cavity search" means an inspection that is conducted of a person's
9 anal or vaginal cavity in any manner.

10 (b) Notwithstanding any other law, a peace officer may not
11 conduct a body cavity search of a person arrested or detained during
12 the investigation of a criminal offense unless a magistrate has
13 issued a search warrant pursuant to this chapter authorizing the
14 body cavity search.

15 (c) A person who is not arrested and charged with an offense
16 arising out of evidence obtained incident to a body cavity search
17 shall not be held responsible for medical expenses incident to the
18 body cavity search.

19 SECTION 2. This Act takes effect November 1, 2015.