

By: Burns

H.B. No. 1322

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to the authority of a justice of the peace to issue a  
3 search warrant to collect a blood specimen from a person arrested  
4 for certain intoxication offenses.

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

6 SECTION 1. Article 18.01(j), Code of Criminal Procedure, is  
7 amended to read as follows:

8 (j) A [~~Any~~] magistrate who is an attorney licensed by this  
9 state or a justice of the peace may issue a search warrant under  
10 Article 18.02(10) to collect a blood specimen from a person who:

11 (1) is arrested for an offense under Section 49.04,  
12 49.045, 49.05, 49.06, 49.065, 49.07, or 49.08, Penal Code; and

13 (2) refuses to submit to a breath or blood alcohol  
14 test.

15 SECTION 2. This Act takes effect September 1, 2017.