

By: Price

H.B. No. 2458

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the authority of a magistrate to issue a search warrant
3 to collect a blood specimen from a person arrested for certain
4 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) Any magistrate [~~who is an attorney licensed by this~~
9 ~~state~~] may issue a search warrant under Article 18.02(10) to
10 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.