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| BILL ANALYSIS |

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| S.B. 306 |
| By: Watson |
| Homeland Security & Public Safety |
| Committee Report (Unamended) |

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| **BACKGROUND AND PURPOSE**  In recent years, several jurisdictions have created an alternative solution for those suspected of public intoxication, as incarceration or release of the individual to a drug or alcohol treatment center may not always be the most prudent option. Evidence-based studies have shown that the admission of the individual into a sobering center may provide the most efficient option for the public, peace officers, and cities alike. S.B. 306 seeks to clarify the legal authority of a law enforcement officer to admit an individual suspected of public intoxication into a sobering center. |
| **CRIMINAL JUSTICE IMPACT**  It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision. |
| **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**  S.B. 306 amends the Code of Criminal Procedure to include among the conditions under which a peace officer, in lieu of arresting an individual who is not a child and who commits a public intoxication offense, may release that individual the conditions that the individual verbally consents to voluntary admission to a facility that provides a place for individuals to become sober under supervision and that the facility admits the individual for supervision. These conditions apply provided the officer believes detention in a penal facility is unnecessary for the protection of the individual or others. |
| **EFFECTIVE DATE**  On passage, or, if the bill does not receive the necessary vote, September 1, 2019. |