

BILL ANALYSIS

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

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.