

By: King of Uvalde

H.B. No. 2260

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(a)(10)
10 [~~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. To the extent of any conflict, this Act prevails
16 over another Act of the 86th Legislature, Regular Session, 2019,
17 relating to nonsubstantive additions to and corrections in enacted
18 codes.

19 SECTION 3. This Act takes effect September 1, 2019.