

By: Meza

H.B. No. 2541

A BILL TO BE ENTITLED

AN ACT

relating to a study of no-knock entries conducted in this state.

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

SECTION 1. Subchapter D, Chapter 411, Government Code, is amended by adding Section 411.055 to read as follows:

Sec. 411.055. NO-KNOCK ENTRY REPORT. (a) In this section:

(1) "Law enforcement agency" has the meaning assigned by Article 59.01, Code of Criminal Procedure.

(2) "No-knock entry" means a peace officer's entry, for the purpose of executing a warrant, into a building or other place without giving notice of the officer's authority or purpose before entering.

(b) Not later than December 1, 2020, a law enforcement agency that executes a no-knock entry shall submit a report to the director, on a form provided by the department, providing the following information for the period beginning on October 1, 2019, and ending on November 1, 2020:

(1) the number of no-knock entries executed by the law enforcement agency; and

(2) for each no-knock entry executed:

(A) whether one or more officers were injured or died as a result of the entry, with a description of each type of injury sustained by an officer and the cause of death of each officer who died;

1 (B) whether one or more occupants were injured or
2 died as a result of the entry, with a description of each type of
3 injury sustained by an occupant and the cause of death of each
4 occupant who died;

5 (C) the criminal activity described in the
6 warrant authorizing the entry that the law enforcement agency:

7 (i) suspected was being conducted inside
8 the place entered; or

9 (ii) accused an occupant of the place of
10 having conducted;

11 (D) a description of any evidence sought by the
12 warrant authorizing the entry and a description of any evidence
13 obtained; and

14 (E) the identity of any individual sought by the
15 warrant authorizing the entry and the identity of any individual
16 arrested.

17 (c) Not later than January 1, 2021, the director shall
18 compile the reports received under Subsection (b) and provide a
19 report to the governor, the lieutenant governor, and the
20 legislature. The report must contain the following information
21 regarding no-knock entries for the previous calendar year:

22 (1) the number executed by each law enforcement
23 agency;

24 (2) statistics analyzing the number of injuries or
25 deaths sustained by officers or occupants;

26 (3) for no-knock entries executed for the purpose of
27 obtaining evidence, the proportion of those entries where the

1 evidence described by the warrant authorizing the entry was
2 obtained;

3 (4) for no-knock entries executed for the purpose of
4 arresting an individual, the proportion of those entries where the
5 individual described by the warrant authorizing the entry was
6 arrested; and

7 (5) the proportion of violent crimes to nonviolent or
8 drug-related offenses for which no-knock entries were executed.

9 (d) Not later than September 1, 2019, the director shall
10 promulgate the form required under Subsection (b).

11 (e) This section expires September 1, 2021.

12 SECTION 2. This Act takes effect immediately if it receives
13 a vote of two-thirds of all the members elected to each house, as
14 provided by Section 39, Article III, Texas Constitution. If this
15 Act does not receive the vote necessary for immediate effect, this
16 Act takes effect September 1, 2019.