

By: Buckingham

S.B. No. 1147

A BILL TO BE ENTITLED

AN ACT

relating to conditions of community supervision applicable to certain intoxication offenses.

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

SECTION 1. Article 42A.402, Code of Criminal Procedure, is amended by adding Subsection (e) to read as follows:

(e) If the evaluation conducted under Subsection (d) indicates to the judge that the defendant would likely benefit from medication-assisted treatment approved by the United States Food and Drug Administration for alcohol dependence, the judge shall require as a condition of community supervision that the defendant submit to an evaluation by a licensed physician to determine whether the defendant would benefit from medication-assisted treatment. Only a licensed physician may recommend that a defendant participate in medication-assisted treatment. A defendant is entitled to refuse to participate in medication-assisted treatment, and a judge may not require as a condition of community supervision that the defendant participate in medication-assisted treatment.

SECTION 2. The change in law made by this Act applies to a defendant placed on community supervision on or after the effective date of this Act, regardless of whether the offense for which the defendant was placed on community supervision was committed before, on, or after the effective date of this Act.

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