

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 86TH LEGISLATIVE REGULAR SESSION

May 15, 2019

TO: Honorable John Whitmire, Chair, Senate Committee on Criminal Justice

FROM: John McGeady, Assistant Director Sarah Keyton, Assistant Director
Legislative Budget Board

IN RE: **HB1355** by Button (relating to the issuance and execution of a search warrant to collect a blood specimen from a person arrested for certain intoxication offenses.), **Committee Report 2nd House, Substituted**

<p>No significant fiscal implication to the State is anticipated.</p>
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The bill would amend the Code of Criminal Procedure as it relates to the execution of a search warrant for taking a blood specimen from certain persons suspected of committing certain intoxication offenses. Under the provisions of the bill, a warrant to collect a blood specimen from those suspected of certain intoxication offenses may be executed by any law enforcement officer authorized to make an arrest in the county of execution and in any county adjacent to the county in which the warrant was issued.

The bill would allow a justice of the peace to issue a search warrant for the collection of a blood sample from a person arrested for certain intoxication offenses if a magistrate is unavailable or exigent circumstances exist.

This analysis assumes the provisions of the bill would not result in a significant impact on the demand for state correctional resources.

The bill would take effect September 1, 2019.

Local Government Impact

According to the Texas Association of Counties, no significant fiscal implication to counties is anticipated.

Source Agencies: 212 Office of Court Administration, Texas Judicial Council, 405
 Department of Public Safety

LBB Staff: WP, LBO, DA, LM, SPa, AF, SMi