

BILL ANALYSIS

Senate Research Center
87R819 JCG-D

S.B. 69
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Jurisprudence
3/17/2021
As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

S.B. 69 prohibits officers from applying deadly pressure to a person's throat, neck, or torso or blocking a person's nose or mouth, or impeding a person's circulation.

At least 134 people have died in police custody from "asphyxia/restraint" in the past decade alone. Many deaths likely go unreported. Wrongful death claims against law-enforcement agencies collectively cost taxpayers millions of dollars to defend and, in many cases, settle.

S.B. 69 would protect citizens from being choked to death by police and protect taxpayers from paying for wrongful death suits due to police chokeholds.

As proposed, S.B. 69 amends current law relating to prohibiting the use of certain techniques when using force to make an arrest or search.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Subchapter E, Chapter 9, Penal Code, by adding Section 9.515, as follows:

Sec. 9.515. PROHIBITED TECHNIQUES. Establishes that, notwithstanding any other law, the use of force or deadly force against a person is not justified under Section 9.51 (Arrest and Search), if the force or deadly force is used in a manner that impedes the normal breathing or circulation of the blood of the person by applying pressure to the person's throat, neck, or torso or by blocking the person's nose or mouth.

SECTION 2. Makes application of this Act prospective.

SECTION 3. Effective date: September 1, 2021.