

By: Meza

H.B. No. 272

A BILL TO BE ENTITLED

1 AN ACT  
2 relating to a study of no-knock entries performed by law  
3 enforcement agencies in this state.

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

5 SECTION 1. Subchapter D, Chapter 411, Government Code, is  
6 amended by adding Section 411.056 to read as follows:

7 Sec. 411.056. REPORT ON NO-KNOCK ENTRIES BY LAW ENFORCEMENT  
8 AGENCIES. (a) In this section:

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

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

15 (b) Not later than December 1, 2022, a law enforcement  
16 agency that employs peace officers who perform no-knock entries  
17 shall report to the department, on a form prescribed by the  
18 director, the following information for the period beginning on  
19 November 1, 2021, and ending on October 31, 2022:

20 (1) the number of no-knock entries performed by peace  
21 officers employed by the law enforcement agency; and

22 (2) for each no-knock entry performed:

23 (A) whether any peace officer suffered an injury  
24 or death as a result of the entry and a description of each injury

1 and cause of death, as applicable;

2 (B) whether any other person suffered an injury  
3 or death as a result of the entry and a description of each injury  
4 and cause of death, as applicable;

5 (C) if the entry was performed for the purpose of  
6 executing a search warrant, a description of the property to be  
7 searched for and of any property seized;

8 (D) if the entry was performed for the purpose of  
9 executing an arrest warrant, the name of the person whose arrest was  
10 ordered and the offense the person was accused of committing; and

11 (E) the name of any person arrested.

12 (c) Not later than January 1, 2023, the director shall  
13 summarize the information received under Subsection (b) in a report  
14 to the governor, the lieutenant governor, and each standing  
15 committee of the legislature with primary jurisdiction over  
16 criminal justice matters. The report must contain the following  
17 information:

18 (1) the total number of no-knock entries performed by  
19 each law enforcement agency, and the number performed for each of  
20 the following categories of offenses:

21 (A) offenses involving violence;

22 (B) nonviolent offenses; and

23 (C) drug-related offenses;

24 (2) the total number of peace officers and other  
25 persons who suffered an injury or death as a result of a no-knock  
26 entry;

27 (3) for no-knock entries that were performed for the

1 purpose of executing a search warrant, the proportion of those  
2 entries in which the property described by the warrant was seized;  
3 and

4 (4) for no-knock entries that were performed for the  
5 purpose of executing an arrest warrant, the proportion of those  
6 entries in which the person named in the warrant was arrested.

7 (d) Not later than December 1, 2021, the director shall  
8 promulgate the form required under Subsection (b).

9 (e) This section expires September 1, 2023.

10 SECTION 2. This Act takes effect immediately if it receives  
11 a vote of two-thirds of all the members elected to each house, as  
12 provided by Section 39, Article III, Texas Constitution. If this  
13 Act does not receive the vote necessary for immediate effect, this  
14 Act takes effect September 1, 2021.