

By: Wu

H.B. No. 492

A BILL TO BE ENTITLED

AN ACT

relating to a prohibition on the issuance of a warrant authorizing the use of a no-knock entry by a peace officer.

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

SECTION 1. Chapter 15, Code of Criminal Procedure, is amended by adding Article 15.251 to read as follows:

Art. 15.251. NO-KNOCK WARRANT PROHIBITED. (a) In this article, "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) A magistrate may not issue a warrant under this chapter that authorizes a no-knock entry.

SECTION 2. Chapter 18, Code of Criminal Procedure, is amended by adding Article 18.025 to read as follows:

Art. 18.025. NO-KNOCK WARRANT PROHIBITED. (a) In this article, "no-knock entry" has the meaning assigned by Article 15.251.

(b) A magistrate may not issue a warrant under this chapter that authorizes a no-knock entry.

SECTION 3. The change in law made by this Act applies only to a warrant issued on or after the effective date of this Act. A warrant issued before the effective date of this Act is governed by the law in effect on the date the warrant was issued, and the former

1 law is continued in effect for that purpose.

2 SECTION 4. This Act takes effect September 1, 2021.