

By: Thierry

H.B. No. 2553

A BILL TO BE ENTITLED

AN ACT

1
2 relating to a prohibition on the issuance of a warrant authorizing
3 the use of a no-knock entry by a peace officer in certain
4 municipalities.

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

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

8 Art. 15.251. NO-KNOCK WARRANT PROHIBITED IN CERTAIN
9 MUNICIPALITIES. (a) In this article, "no-knock entry" means a
10 peace officer's entry, for the purpose of executing a warrant, into
11 a building or other place without giving notice of the officer's
12 authority or purpose before entering.

13 (b) A magistrate may not issue a warrant under this chapter
14 that authorizes a no-knock entry into a building or other place
15 located in a municipality with a population of two million or more.

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

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

21 (b) A magistrate may not issue a warrant under this chapter
22 that authorizes a no-knock entry into a building or other place
23 located in a municipality with a population of two million or more.

24 SECTION 3. The change in law made by this Act applies only

1 to a warrant issued on or after the effective date of this Act. A
2 warrant issued before the effective date of this Act is governed by
3 the law in effect on the date the warrant was issued, and the former
4 law is continued in effect for that purpose.

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