AN ACT

relating to the use of force by peace officers.

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

SECTION 1. Chapter 2, Code of Criminal Procedure, is amended by adding Articles 2.1387 and 2.33 to read as follows:

Art. 2.1387. INTERVENTION REQUIRED FOR EXCESSIVE FORCE; REPORT REQUIRED. (a) A peace officer has a duty to intervene to stop or prevent another peace officer from using force against a person suspected of committing an offense if:

(1) the amount of force exceeds that which is reasonable under the circumstances; and

(2) the officer knows or should know that the other officer's use of force:

(A) violates state or federal law;

(B) puts a person at risk of bodily injury, as that term is defined by Section 1.07, Penal Code, and is not immediately necessary to avoid imminent bodily injury to a peace officer or other person; and

(C) is not required to apprehend the person suspected of committing an offense.

(b) A peace officer who witnesses the use of excessive force by another peace officer shall promptly make a detailed report of the incident and deliver the report to the supervisor of the peace officer making the report.
Art. 2.33. USE OF NECK RESTRAINTS DURING SEARCH OR ARREST

PROHIBITED. A peace officer may not intentionally use a choke hold, carotid artery hold, or similar neck restraint in searching or arresting a person unless the restraint is necessary to prevent serious bodily injury to or the death of the officer or another person.

SECTION 2. This Act takes effect September 1, 2021.
S.B. No. 69

President of the Senate             Speaker of the House

I hereby certify that S.B. No. 69 passed the Senate on April 28, 2021, by the following vote: Yeas 31, Nays 0; and that the Senate concurred in House amendment on May 28, 2021, by the following vote: Yeas 31, Nays 0.

Secretary of the Senate

I hereby certify that S.B. No. 69 passed the House, with amendment, on May 25, 2021, by the following vote: Yeas 141, Nays 5, two present not voting.

Chief Clerk of the House

Approved:

Date

Governor