

BILL ANALYSIS

H.B. 2326
By: Moody
Criminal Jurisprudence
Committee Report (Unamended)

BACKGROUND AND PURPOSE

In most Texas counties, the justice of the peace conducts inquests on deceased persons to determine the cause, manner, and time of death. When the justice of the peace conducting an inquest has questions as to the cause and manner of death, there are several ways to answer those questions: gathering medical history, scene information, and ordering an autopsy to be completed by a forensic pathologist. The last option is costly to counties and often not timely. H.B. 2326 affords justices of the peace another option to gather the information that can help them determine the cause and manner of death by authorizing the taking of a blood specimen from the body of a deceased person.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

H.B. 2326 amends the Code of Criminal Procedure to authorize a justice of the peace to order a physician, qualified technician, paramedic, chemist, registered professional nurse, or licensed vocational nurse to take a blood specimen from the body of a deceased person to aid in the confirmation or determination of the cause and manner of death while conducting an inquest.

EFFECTIVE DATE

September 1, 2023.