By:  Flores H.B. No. 4875

A BILL TO BE ENTITLED

AN ACT

relating to a law enforcement agency policy regarding drug and alcohol testing of peace officers involved in certain injuries or deaths.

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

SECTION 1.  Chapter 2, Code of Criminal Procedure, is amended by adding Article 2.1391 to read as follows:

Art. 2.1391.  LAW ENFORCEMENT POLICY ON DRUG AND ALCOHOL TESTING AFTER OFFICER-INVOLVED INJURIES OR DEATHS. (a) In this article:

(1)  "Deadly weapon" has the meaning assigned by Article 2.139.

(2)  "Law enforcement agency" has the meaning assigned by Article 2.132.

(3)  "Officer-involved injury or death" means any serious bodily injury or death caused by a peace officer acting under the authority of a political subdivision of the state.

(b)  Each law enforcement agency in this state shall adopt a detailed written policy requiring a peace officer who causes an officer-involved injury or death to submit to the agency, not later than two hours after the officer-involved injury or death, a specimen of the officer's blood, urine, or other bodily substance to assess:

(1)  the officer's blood alcohol content; and

(2)  whether there is a controlled substance in the officer's body.

SECTION 2.  Each law enforcement agency in this state shall adopt the policy required by Article 2.1391, Code of Criminal Procedure, as added by this Act, as soon as practicable after the effective date of this Act.

SECTION 3.  This Act takes effect September 1, 2023.