

By: Rogers

H.B. No. 1178

A BILL TO BE ENTITLED

AN ACT

relating to the authority of a magistrate to issue a search warrant to collect a blood specimen from a person arrested for certain intoxication offenses.

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

SECTION 1. Article 18.01(j), Code of Criminal Procedure, is amended to read as follows:

(j) Any magistrate ~~[who is an attorney licensed by this state]~~ may issue a search warrant under Article 18.02(a)(10) to collect a blood specimen from a person who:

(1) is arrested for an offense under Section 49.04, 49.045, 49.05, 49.06, 49.065, 49.07, or 49.08, Penal Code; and

(2) refuses to submit to a breath or blood alcohol test.

SECTION 2. This Act takes effect September 1, 2023.