

By: Thompson

H.B. No. 896

A BILL TO BE ENTITLED

AN ACT

relating to the prohibition on the use of a neck restraint by a peace officer during a search or arrest.

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

SECTION 1. Article [2B.0252](#), Code of Criminal Procedure, is amended to read as follows:

Art. 2B.0252. 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:

(1) the restraint is necessary to prevent serious bodily injury to or the death of the officer or another person; and

(2) the officer discontinues the restraint as soon as the threat of serious bodily injury or death described by Subdivision (1) has passed.

SECTION 2. Section [1701.2551\(b\)](#), Occupations Code, is amended to read as follows:

(b) The basic peace officer training course must include training on:

(1) the prohibition against the intentional use of a choke hold, carotid artery hold, or similar neck restraint during a search or arrest by a peace officer as prescribed by Article [2B.0252](#), Code of Criminal Procedure ~~[in searching or arresting a person, unless the officer reasonably believes the restraint is~~

~~1 necessary to prevent serious bodily injury to or the death of the~~  
~~2 peace officer or another person];~~

3 (2) the duty of a peace officer to intervene to stop or  
4 prevent another peace officer from using force against a person  
5 suspected of committing an offense if:

6 (A) the amount of force exceeds that which is  
7 reasonable under the circumstances; and

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

10 (i) violates state or federal law;

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

15 (iii) is not required to apprehend the  
16 person suspected of committing an offense; and

17 (3) the duty of a peace officer who encounters an  
18 injured person while discharging the officer's official duties to  
19 immediately and as necessary request emergency medical services  
20 personnel to provide the person with emergency medical services  
21 and, while waiting for emergency medical services personnel to  
22 arrive, provide first aid or treatment to the person to the extent  
23 of the officer's skills and training, unless the request for  
24 emergency medical services personnel or the provision of first aid  
25 or treatment would expose the officer or another person to a risk of  
26 bodily injury or the officer is injured and physically unable to  
27 make the request or provide the treatment.

SECTION 3. Section 1701.269(b), Occupations Code, is amended to read as follows:

(b) The model training curriculum and model policies developed under Subsection (a) must include curriculum and policies regarding:

(1) the prohibition against the intentional ~~[curriculum and policies for banning the]~~ use of a choke hold, carotid artery hold, or similar neck restraint during a search or arrest by a peace officer as prescribed by Article 2B.0252, Code of Criminal Procedure ~~[in searching or arresting a person, unless the officer reasonably believes the restraint is necessary to prevent serious bodily injury to or the death of the peace officer or another person];~~

(2) ~~[curriculum and policies regarding]~~ the duty of a peace officer to intervene to stop or prevent another peace officer from using force against a person suspected of committing an offense if:

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

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

(i) violates state or federal law;

(ii) 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

(iii) is not required to apprehend the

1 person suspected of committing an offense; and

2           (3) ~~[curriculum and policies regarding]~~ the duty of a  
3 peace officer who encounters an injured person while discharging  
4 the officer's official duties to immediately and as necessary  
5 request emergency medical services personnel to provide the person  
6 with emergency medical services and, while waiting for emergency  
7 medical services personnel to arrive, provide first aid or  
8 treatment to the person to the extent of the officer's skills and  
9 training, unless the request for emergency medical services  
10 personnel or the provision of first aid or treatment would expose  
11 the officer or another person to a risk of bodily injury or the  
12 officer is injured and physically unable to make the request or  
13 provide the treatment.

14           SECTION 4. This Act takes effect September 1, 2025.